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## Advisability of the appointment of a special rapporteur on laws that discriminate against women

### Report of the Secretary-General

*Summary*

The present report has been prepared pursuant to Commission on the Status of Women resolution 49/3 of 11 March 2005 on the advisability of the appointment of a special rapporteur on laws that discriminate against women. It presents an overview of international human rights instruments, policy documents and mechanisms aimed at eliminating laws that discriminate against women, as well as views of Member States and Observers, the Committee on the Elimination of Discrimination against Women and the Office of the United Nations High Commissioner for Human Rights. It concludes with implications as well as recommendations for consideration by the Commission on the Status of Women at its fiftieth session.

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# I. Introduction

1. In its resolution 49/3 of 11 March 2005, the Commission on the Status of Women decided to consider, at its fiftieth session, the advisability of the appointment of a special rapporteur on laws that discriminate against women, bearing in mind the existing mechanisms with a view to avoiding duplication. The Commission requested the Secretary-General to report to the Commission on the implications of the creation of the position of such a special rapporteur. It also requested the Secretary-General to include in his report the views of Member States and relevant United Nations bodies, including the Committee on the Elimination of Discrimination against Women and the Office of the United Nations High Commissioner for Human Rights (OHCHR). The present report is submitted in accordance with that request.

2. Responses to the Secretary-General's request of 25 July 2005 were received from the following 26 Member States and Observers: Argentina, Barbados, Canada, Colombia, Guinea, the Holy See, the Islamic Republic of Iran, Jamaica, Lebanon, Maldives, Mauritius, Mexico, Namibia, New Zealand, Pakistan, Palau, the Philippines, the Republic of Korea, the Russian Federation, Switzerland, Tonga, Turkey, the United Kingdom of Great Britain and Northern Ireland (on behalf of the States Members of the United Nations that are members of the European Union), the United States of America, Uruguay and Viet Nam.

3. The Committee on the Elimination of Discrimination against Women formulated views on the matter at its thirty-third session (see A/60/38). OHCHR also provided views.

4. Section II of the present report analyses international human rights instruments and policy documents relevant to the issue of the elimination of laws that discriminate against women, as well as mechanisms that address laws that discriminate against women. Section III summarizes the views received from Member States and Observers, the Committee on the Elimination of Discrimination against Women and OHCHR. Section IV presents implications of the creation of such a position and recommendations for consideration by the Commission on the Status of Women.

# II. Elimination of laws that discriminate against women: international human rights instruments, policy documents and mechanisms[1]

## A. International human rights instruments and policy documents

5. The right to equality before the law without discrimination on the basis of sex is enshrined in international human rights instruments and included in policy documents. Article 1 of the Charter of the United Nations proclaims the need to promote and encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion. The 1948 Universal Declaration of Human Rights (General Assembly resolution 217 A (111)) states that "all are equal before the law" and that everyone is entitled to all the rights and freedoms set forth in the Declaration, "without distinction of any kind", including

sex. The core human rights treaties reflect the general principle that the rights set out in the treaty should be enjoyed without distinction, listing sex as one of the prohibited grounds of discrimination.

6. The 1979 Convention on the Elimination of All Forms of Discrimination against Women (General Assembly resolution 34/180) is the most important instrument for the practical realization of the principle of equality of men and women. The Convention provides a comprehensive definition of "discrimination against women" in article 1 and addresses in detail the obligations of States parties to eliminate discrimination and achieve women's enjoyment of human rights and fundamental freedoms, on a basis of equality of men and women, in the political, economic, social, cultural, civil or any other field. It calls on States parties "to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women," and to "repeal all national penal provisions which constitute discrimination against women". It imposes a general obligation on States parties "to accord to women equality with men before the law", and addresses women's right to equality in areas such as political life, nationality, civil matters, and marriage and family relations. The elimination of discriminatory laws is considered to be a necessary step in the realization of de facto equality between women and men.

7. A number of policy instruments of the United Nations emphasize the need to eliminate discrimination against women in order to achieve gender equality. The Beijing Platform for Action, adopted at the 1995 United Nations Fourth World Conference on Women, includes among its strategic objectives the need to ensure equality and non-discrimination under the law and in practice,[2] and recommends that States revoke any remaining laws that discriminate on the basis of sex and remove gender bias in the administration of justice.[2]

8. This recommended action was restated at the twenty-third special session of the General Assembly in 2000 and a target date for implementation was established. In the outcome document of the special session, the General Assembly called on Governments to create and maintain a non-discriminatory and gender-sensitive legal environment by reviewing legislation with a view to striving to remove discriminatory provisions as soon as possible, preferably by 2005, and eliminating legislative gaps that leave women and girls without protection of their rights and without effective recourse against gender-based discrimination. (General Assembly resolution S.23/3, para. 68 (b)).

9. In 2005, the Commission on the Status of Women adopted a declaration on the occasion of the tenth anniversary of the Fourth World Conference on Women, in which it reaffirmed the Beijing Platform for Action and the outcome document of 2000 and pledged to undertake further action to ensure their full and accelerated implementation (see E/2005/27, chap. I. A, para. 1).

10. The 2005 World Summit Outcome (General Assembly resolution 60/1) confirmed the importance of establishing and maintaining a legal framework supportive of the goal of gender equality. In the Outcome, Member States committed themselves to promote gender equality and eliminate pervasive gender discrimination by eliminating all forms of discrimination and violence against women and the girl child, including by ending impunity, in accordance with the obligations of States under international human rights law. The Outcome also called upon States to continue their efforts to eradicate policies and practices that

discriminate against women and to adopt laws and promote practices that protect the rights of women and promote gender equality.

11. Notwithstanding these instruments and their importance, the goal of eliminating all sex discriminatory laws has so far not been achieved. The Committee on the Elimination of Discrimination against Women highlighted the persistence of such laws at the occasion of the twenty-fifth anniversary of the adoption of the Convention in 2004. The Committee pointed out that in no country in the world has women's full de jure and de facto equality been achieved. Discriminatory laws are still on the statute books of many States parties. The coexistence of multiple legal systems, with customary and religious laws governing personal status and private life and prevailing over positive law and even constitutional provisions of equality, remains a source of great concern. Nationality laws also continue to discriminate against women by curtailing their capacity to confer their nationality to their children. Women continue to experience discrimination and disadvantage in the enjoyment of rights to own and inherit property and in access to economic resources and social benefits and services. Women are far from enjoying equal and full participation in political and public spheres, especially at decision-making levels. Criminal law, especially in relation to sexual violence and crimes, continues to be discriminatory, inadequate or poorly enforced.

## B. International mechanisms

12. A number of mechanisms monitor and support implementation of the above-mentioned instruments and documents and, therefore, deal, to some extent, with laws that discriminate against women as part of their larger mandates. The following sub-sections review the mandates and/or practice of the human rights treaty bodies; the special thematic procedures of the Commission on Human Rights; and the Commission on the Status of Women in relation to laws that discriminate against women.

### Human rights treaty bodies

13. Human rights treaty bodies are composed of experts elected by meetings of States parties and monitor the implementation of the seven core United Nations human rights treaties.[3] States which have not ratified or acceded to the respective instruments are not subject to such monitoring. A core function of treaty bodies is the consideration of reports submitted periodically by States parties on measures taken to give effect to the provisions of the treaty at the national level. The consideration takes place in the form of a constructive dialogue between the treaty body and the respective State party.[4] The concluding comments/observations of the respective committees contain recommendations addressed specifically to the State party on further measures required to enhance compliance with its treaty obligations. The reports, the constructive dialogue and the concluding comments/observations may address laws that discriminate against women.

14. In general, treaty bodies examine implementation of treaties by States parties that have submitted their national reports. Such reports are due one year (two years in the case of the Convention on the Rights of the Child) after ratification, and subsequently every four to five years (every two years in the case of the Convention on the Elimination of Racial Discrimination).[5] The ability of the treaty bodies to

monitor implementation in a timely and effective manner may be limited by a number of factors, including lack of timely adherence by States parties to their reporting obligations or insufficient meeting time for treaty bodies to discharge all mandated responsibilities.

15. An analysis of recent concluding comments/observations[6] indicates that while treaty bodies address sex discriminatory laws in their work, they do not do so in a systematic manner or to the same degree.

16. Among the seven treaty bodies under discussion here, the Committee on the Elimination of Discrimination against Women takes the most consistent and systematic approach to reviewing the persistence and impact of sex-discriminatory laws. The Committee promotes the achievement of women's de jure as well as de facto or substantive equality. Elimination of discriminatory legislation is a critical aspect of this approach. The Committee has clarified the obligation of States parties' to ensure that there is no direct or indirect discrimination in their laws (see A/59/38, annex I) and takes the view that gender-neutral legal provisions may also be discriminatory or perpetuate discrimination against women.[7]

17. The Committee has frequently raised concerns about the persistence of sex-discriminatory provisions in family and/or personal status codes and labour legislation, as well as in regard to nationality and citizenship and property and inheritance rights. The Committee has regularly addressed discriminatory provisions in criminal law, especially in relation to sexual violence and crime, and has called on States parties to amend penal codes and bring them in harmony with the Committee's general recommendation No. 19 on violence against women. The Committee has also often expressed concern about the continued existence of discriminatory customary laws and the coexistence of multiple legal systems, requesting States parties to harmonize statutory as well as customary laws with the provisions of the Convention.[8]

18. The Human Rights Committee has addressed the persistence of sex-discriminatory laws in the fields of marriage, divorce, inheritance, property, nationality and education. It has also devoted attention to sex discrimination in penal and civil codes, labour laws and laws governing succession, as well as to the persistence of customary laws that discriminate against women.[9]

19. The Committee on Economic, Social and Cultural Rights has raised concerns about sex-discriminatory provisions in areas such as labour, family and/or personal status and civil and commercial law. It has also paid attention to sex-discriminatory laws in relation to inheritance and property and political participation.[10]

20. The Committee on the Rights of the Child has often addressed laws, including customary laws that discriminate against the girl child, especially in relation to the legal age of marriage. The Committee has also devoted attention to sex discrimination in personal status law and in legal provisions governing issuance of passports. It has expressed concern about the discriminatory impact of certain laws on girls' school attendance.[11]

21. There are few examples where the Committee on the Elimination of Racial Discrimination and the Committee against Torture have pronounced themselves in regard to sex-discriminatory laws. When it has done so, the Committee on the Elimination of Racial Discrimination has considered the issue of sex discrimination in regard to labour and nationality laws.[12]

22. Four treaty bodies, the Committee on the Elimination of Discrimination against Women, the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee against Torture, may also consider complaints or communications from individuals or groups of individuals claiming that their rights under the respective treaty have been violated by a State party.[13] Under these procedures, Committees may find violations of treaty provisions, and indicate ways in which a State is expected to provide redress to the claimants. Two treaty bodies, the Committee on the Elimination of Discrimination against Women and the Committee against Torture, may also, on their own initiative, undertake inquiries into situations of serious, grave or systematic violations of Convention rights in a State party if they have received reliable information.[14] In such cases, the treaty body may issue findings and recommendations to the State party concerned. These optional procedures may deal with laws that discriminate against women and the findings and recommendations of the bodies concerned may include a recommendation to repeal or amend such laws.

**Special procedures of the Commission on Human Rights**

23. The Commission on Human Rights uses the mechanisms of special procedures to address either specific country situations[15] or thematic issues. Special rapporteurs are usually appointed by the Chairperson of the Commission on Human Rights and report to the Commission itself.

24. While mandates vary, the main functions of the special thematic procedures are to: prepare analytical reports on a particular issue of concern; carry out country visits relevant to their mandates; consider complaints from victims of human rights violations; and intervene with Governments on the behalf of the victims. The special procedures support the Commission on Human Rights in its role in promoting and protecting human rights and fundamental freedoms, while the Commission oversees their work. Thematic mandates are usually reviewed every three years.

25. For purposes of the present report, an examination of resolutions establishing special thematic procedures revealed that few are explicitly mandated to address discrimination based on sex. One example is the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, who is mandated to pay particular attention to the situation of women and the relationship between the effective promotion and the protection of the right to freedom of opinion and expression and incidents of discrimination based on sex (see Commission on Human Rights resolution 2002/48). Some thematic mandates refer to the need to address discriminatory laws without specifying on what grounds. Examples include the mandate on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (see Commission resolution 2005/24) and the mandate on adequate housing as a component of the right to an adequate standard of living (see Commission resolution 2000/9).

26. The only thematic mandate that explicitly refers to women's de jure discrimination is that of the Special Rapporteur on violence against women, its causes and consequences. The relevant resolution elaborates that all forms of violence against women occur within the context of de jure and de facto discrimination against women and the lower status accorded to women in society and are exacerbated by the obstacles women often face in seeking remedies from the State (see Commission resolution 2003/45). Subsequent resolutions have drawn

attention to the need to abolish laws that constitute discrimination against women. (see Commission resolution 2005/41).

27. Some thematic mandates include general references to the Convention on the Elimination of All Forms of Discrimination against Women or to one of its articles. This is the case for the mandates on violence against women, its causes and consequences; on adequate housing as a component of the right to an adequate standard of living; and on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. Almost all the mandates now include a requirement for the mandate holders to apply gender perspectives in their work.

28. The analysis also showed that thematic special procedures are mandated to work in coordination and dialogue with other actors, particularly within the United Nations system, although very few thematic procedures are specifically asked to cooperate with the Commission on the Status of Women. One example is the mandate of the Special Rapporteur on violence against women, its causes and consequences, which refers to the need for close cooperation with the Commission on the Status of Women and requests the Secretary-General to ensure that the reports of the special rapporteur are brought to the attention of the Commission on the Status of Women, as well as the General Assembly and the Committee on the Elimination of Discrimination against Women (see Commission resolution 2005/41). Similarly, resolutions on the mandate of the Special Rapporteur on the right to education refer to the need for the special rapporteur to make his/her reports available to the Commission on the Status of Women whenever they concern the situation of women in the field of the right to education (see Commission resolution 1998/33). Resolutions on the role of the Independent Expert on the question of human rights and extreme poverty have also indicated that the Expert's reports should be made available to the Commission on the Status of Women in particular years (see Commission resolution 1998/25).

29. Special thematic procedures address their recommendations to States and, through the Commission on Human Rights, to entities of the United Nations system and the international community, including non-governmental organizations. They approach their mandates from a global perspective, whereas human rights treaty bodies interact only with States parties and address their recommendations to specific countries. It has been argued that the existence of the special procedures and the treaty body system cannot be properly understood as creating duplication and overlap as the implicit purpose of each system is substantially different.[16]

**Commission on the Status of Women**

30. The Commission on the Status of Women, established in 1946, is responsible for making recommendations to the Economic and Social Council on measures aimed at promoting gender equality and the advancement of women. The Commission was given a central role in monitoring the implementation of the Beijing Platform for Action, adopted in 1995,[2] and the Commission's methods of work, including its multi-year programme of work, respond to this mandate.

31. The Commission has used the mechanism of a special rapporteur only once, in 1968, when it appointed a special rapporteur to undertake research on the status of women and family planning, which culminated after five years in a report submitted to the Commission.

32. The Commission's mandate includes responsibility for addressing violations of women's human rights, which it implements through its communications procedure.

33. The Working Group on Communications on the Status of Women (made up of five members of the Commission appointed by the Commission) meets in closed meetings prior to each session of the Commission. It considers an annual report prepared by the Secretary-General, which contains summaries of communications concerning the status of women and replies thereon from Governments. The Working Group considers all communications and the replies of the Governments concerned, with a view to bringing to the Commission's attention those that appear to reveal a consistent pattern of reliably attested injustice and discriminatory practices against women. The report of the Working Group indicates the categories in which communications are most frequently submitted.

34. The Commission on the Status of Women may make recommendations to the Economic and Social Council on action the Council may wish to take on the emerging trends and patterns of communications. It is not empowered to take other action. The procedure does not provide individuals with an opportunity to seek redress, nor does it provide an opportunity for undertaking a detailed study on any particular situation. (E/CN.6/1991/10, paras. 83 and 84).

35. Communications typically but not exclusively come from women or groups of women who claim to be victims of human rights violations or who have knowledge of the violations of the human rights of other women. Successive Working Groups have informed the Commission about allegations of: physical violence against women in official custody; sexual harassment of women at the workplace; violations of the rights of women to education and to political participation; de facto discrimination against women in employment; allegations of violence against women by army, security and occupation forces; discrimination against women in marital relations; restrictions on freedom of movement; sexual violence; restricted access to safe and legal abortions; restrictive or coercive family-planning policies; gender-based discrimination in sports; violation of the right to freedom of expression; violation of the right to the enjoyment of full citizenship; rape as a weapon of war; female infanticide; sexual enslavement; harmful traditional practices; unequal enjoyment of training opportunities and unequal pay for work of equal value; violations of the rights of migrant, indigenous and minority women; trafficking in women and girls; and particularly inhuman punishment.

36. In 2000 and 2001 the reports of the Working Group indicated that communications had been received covering "discriminatory provisions against women in national legal systems".[17] The Commission made no recommendations to the Council for action. In 2002, the Working Group noted "discrimination against women, including through restrictions on their freedom of movement, stemming from law and custom".[18] The Commission made no recommendations explicitly concerning discriminatory legislation to the Council for action. In 2004 the Working Group was concerned about "the application under law of certain forms of criminal punishment of women that constitute cruel, inhuman or degrading treatment in violation of international human rights standards".[19] In this instance, the Working Group made a suggestion to the Commission on the Status of Women that it might wish to request the Council to remind States of relevant commitments that they have made, including to "review national laws, including customary laws and legal

practices in the areas of family, civil, penal, labour and commercial law ...".[19] Also in this case, the Commission made no recommendation to the Council.

37. In 2005, the Working Group in its report to the Commission indicated that one communication had contained allegations of instances of legislation that discriminated against women in various areas in forty separate States. The Working Group expressed concern over "the continued existence of legislation or practices in many areas either intended to or with the effect of discriminating against women, despite the international obligations and commitments of States and their constitutional provisions to outlaw such discrimination".[20] The Working Group made no proposals or suggestions and the Commission made no recommendations to the Economic and Social Council for action.

38. As illustrated, communications dealing with discriminatory legislation have rarely been considered under the procedure. In the most recent instance, the communication triggered concern, but it did not result in the Commission taking further action other than to note the report of the Working Group and include it in the Commission's annual report to the Economic and Social Council. Additionally, as the procedure currently functions, no opportunity is provided for sustained or focused attention by the Commission, including any follow-up in respect of concerns that may have been raised in previous years.

## III. Views of Member States, the Committee on the Elimination of Discrimination against Women and the Office of the United Nations High Commissioner for Human Rights

39. Several Member States, including Argentina, Canada, Guinea, Lebanon, Maldives, Mauritius, Palau, the Philippines and the Republic of Korea, expressed their support for the creation of a special rapporteur on laws that discriminate against women, as did OHCHR. Namibia indicated that it had no objections while Uruguay considered that such a rapporteur would be useful. Several other replies, including those from the Holy See, Mexico, New Zealand and the United States of America, were also in principle supportive of the creation of a special rapporteur, provided its mandate did not duplicate the work of existing mechanisms. Other Member States, including Barbados, Colombia, the Islamic Republic of Iran, Jamaica, Pakistan, the Russian Federation, Turkey and Viet Nam, did not support or consider necessary the creation of a special rapporteur. The States members of the European Union and Switzerland could not comment definitely on the advisability of such a new mechanism without a specific proposal or a draft mandate for such a special rapporteur.

40. While the Committee on the Elimination of Discrimination against Women fully appreciated the desire of the Commission to carry out its mandate in this area, it did not see the necessity for establishing such a mandate. The Committee made proposals for the mandate of a special rapporteur should the Commission decide to pursue the establishment of such a mechanism.

41. Mauritius and Tonga provided information on measures taken at the national level to address laws that discriminate against women.

42. Responses addressed specific aspects concerning the creation of a special procedure on laws that discriminate against women. These are summarized below under thematic headings.

**Reform discussion concerning the human rights machinery**

43. Some Member States drew attention to the ongoing discussions on reform of United Nations human rights machinery. According to New Zealand, consideration of the establishment of a special rapporteur should be informed by the ongoing process of strengthening the special procedures of the Commission on Human Rights. Pakistan noted that agreement had been reached during the 2005 World Summit on the replacement of the Commission on Human Rights with the Human Rights Council. The mandate, composition, size and modalities of the Human Rights Council would be determined through open and transparent negotiations. Thus, any selective proposal to appoint a special rapporteur was premature and inconsistent with the overall approach to discuss the entire range of special mechanisms under the human rights machinery.

44. The Russian Federation believed that it would be premature to discuss the creation of new mandates pending completion of United Nations reforms. In order to avoid further unnecessary duplication of various tasks of the human rights system, the Islamic Republic of Iran suggested to discuss the establishment of a special rapporteur within the framework of the reform of the human rights machinery so as to ensure that the special mechanisms and human rights functions of the future Human Rights Council and the activities of the Commission on the Status of Women would not overlap.

**Relationship between a special rapporteur and existing United Nations mechanisms**

45. Several Member States addressed the relationship that a special rapporteur on laws that discriminate against women would have with the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women and the special procedures of the Commission on Human Rights.

46. According to the European Union, the debate on the appointment of a special rapporteur should be conducted in the broader context of the future work programme of the Commission on the Status of Women and the future role of its communications procedure. Consideration would have to be given to the added value a special rapporteur would bring to the work of the Commission. New Zealand stressed that any proposal for the creation of a new special rapporteur had to be appropriate to the Commission's needs. Mauritius and the Republic of Korea stated that a special rapporteur could provide the Commission with a way to play a more proactive role in promoting gender equality and that it would add significant value to the work of the Commission.

47. The Philippines and the Republic of Korea suggested that the appointment of a special rapporteur on laws that discriminate against women was in consonance with the mandate of the Commission to ensure the effective implementation of the Beijing Platform for Action and the outcome of the twenty-third special session of the General Assembly through "more practical and action-oriented initiatives and outcomes". While the Commission examined implementation of the Platform for Action along thematic lines, legal discrimination cut across many critical areas of

concern. A special rapporteur could complement this work with a cross-cutting examination of laws that discriminate against women in those areas, have a global scope and make global policy recommendations to the Commission.

48. According to Barbados, Colombia, Jamaica, the Russian Federation and Turkey, mechanisms to eliminate discrimination against women, including sex-discriminatory laws, already existed, notably the Committee on the Elimination of Discrimination against Women, the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on trafficking in persons, especially women and children and the Commission on the Status of Women. Turkey noted that, although the mandates of the Special Rapporteur on violence against women, its causes and consequences and the Special Rapporteur on trafficking in persons, especially women and children did not specifically refer to laws that discriminate against women, they nevertheless took into consideration such laws in their work. Colombia pointed out that the proliferation of new rapporteurs generated a duplication of functions and loss of recognition for existing mechanisms. The Committee on the Elimination of Discrimination against Women suggested that the Commission might consider other ways of pursuing the same objective.

49. Canada and Switzerland emphasized the need to utilize existing mechanisms for the evaluation of national laws that discriminate against women, such as the reporting mechanism under the Convention on the Elimination of All Forms of Discrimination against Women and the individual complaints mechanism under the Optional Protocol. New Zealand argued that a mandate such as the proposed special rapporteur should not cut across the mandate and work of the Committee. The Philippines and the Republic of Korea indicated that the work of a special rapporteur would complement the functions of the Committee in monitoring the implementation of the Convention on the Elimination of All Forms of Discrimination against Women. Switzerland indicated its support for strengthening the Committee. On the other hand, Jamaica noted that laws that discriminate against women could be addressed through further strengthening the Committee on the Elimination of Discrimination against Women and indicated that the Commission on the Status of Women should continue to pursue full implementation of the Convention by States parties and encourage more States to ratify it.

50. OHCHR suggested that the mandate should be carefully designed to maximize its impact. The Office noted that a special rapporteur on laws that discriminate against women would be an important tool in the implementation of the Beijing Declaration and Platform for Action and human rights instruments by complementing, and not duplicating, the work of the relevant treaty bodies and special procedures established by the Commission on Human Rights. It would be particularly important to ensure that the new mechanism did not duplicate the work of existing ones. The new mandate should take into account the work of existing human rights treaty bodies and the mandates established by the Commission on Human Rights, such as the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on trafficking in persons, especially women and children, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and the Special Rapporteur on the human rights of migrants.

51. Argentina, Lebanon and OHCHR stressed the importance of establishing a strong institutional link, or coordination mechanism, between a special rapporteur on laws that discriminate against women and other human rights bodies working on the issue of discrimination against women. The European Union recommended that consideration be given to submitting the reports of the Special Rapporteur to the Commission on the Status of Women and the Commission on Human Rights, while Mexico highlighted the need that such reports should also be submitted to the Commission on Human Rights. According to the Philippines, reports of special rapporteurs could inform the work of both the Commission on the Status of Women and the Committee on the Elimination of Discrimination against Women.

**Mandate of a special rapporteur on laws that discriminate against women**

52. Canada, the European Union, Guinea, Mexico, New Zealand and Switzerland stressed the need for the Commission to discuss and/or clarify the mandate of a new special rapporteur in order to avoid duplication with existing mechanisms. Several Member States as well as the Committee on the Elimination of Discrimination against Women and OHCHR provided suggestions on the terms of reference for such a mandate.

53. Canada, Guinea, Mauritius and the United States of America suggested that a special rapporteur on laws that discriminate against women should compile information on sex-discriminatory laws in force around the world, provide information on progress made in eliminating laws that discriminate against women during reporting periods and highlight ways in which Member States have used law reform effectively to counter legal discrimination against women. According to the United States, a special rapporteur should focus on laws that discriminate against women in political participation, participation in civil society and government, in regard to economic opportunities, including employment opportunities and ownership and inheritance of property, in the judicial system and in regard to laws that permit forced marriage. The United States indicated that it would not be able to support the creation of this new special rapporteur if its mandate duplicated the work of already existing mechanisms or reached beyond the above-mentioned areas.

54. The Committee on the Elimination of Discrimination against Women suggested that, should the Commission pursue the establishment of such a mechanism, the mandate should include a requirement to address various types of discriminatory laws; customary and other forms of law (common and codified law); and de jure and de facto discrimination against women. The mandate should clearly spell out the scope of the discriminatory legislation to be covered and should also include indirect discrimination. Lastly, the Committee indicated that the Commission should consider the ways in which the mandate holder could have a significant political impact at the national level.

55. OHCHR indicated that there may be debate over whether a possible new special rapporteur on laws that discriminate against women should only examine de jure discrimination (and discrimination in the administration of justice) or whether a new mechanism should also address de facto discrimination. It would be important, however, to ensure that legislation that enshrined discrimination was entirely eliminated, as a first step towards the elimination of all forms of discrimination. In this regard, OHCHR stated that it may be useful to have a mechanism focusing exclusively on de jure discrimination. The new special rapporteur should focus

exclusively on undertaking an in-depth analysis of national legislation in identified subjects and countries of concern. In particular, the rapporteur could study a number of areas that would be particularly pertinent to eliminate discrimination against women, such as family, civil, penal, labour and commercial laws. The special rapporteur should also follow closely any proposed amendment of discriminatory laws.

56. The Philippines noted that a special rapporteur on laws that discriminate against women should engage in dialogue with Member States and share information, strategies and recommendations on how to address issues and concerns common to Member States. Canada and Mauritius proposed that a special rapporteur should disseminate best practices among Member States. According to Lebanon, the special rapporteur on laws that discriminate against women should also collect complaints.

57. Canada, Guinea and Lebanon recommended that a special rapporteur should provide assistance to Member States who were modifying and/or updating their sex-discriminatory laws since, as noted by Canada, such laws continued to exist despite the adoption of the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol. Canada noted with concern that several States parties continued to maintain reservations to the Convention. Guinea also indicated that the special rapporteur could play a role in the elaboration of national training programmes and projects for professionals, law enforcement agents, decision-makers and civil society organizations, as well as support regional and subregional human rights mechanisms.

**Criteria for selecting a special rapporteur on laws that discriminate against women**

58. The Holy See suggested that the choice of a special rapporteur on laws that discriminate against women needed to be guided by good common standards and the mature search for solutions to violations of international humanitarian law. Candidates for the post should demonstrate experience in searching for solutions to violations of international law.

**Financial implications**

59. Barbados, Jamaica and Turkey raised concerns about the possible financial implications of creating a new mechanism, especially in view of scarce resources. Switzerland indicated that, should such a mechanism be created, it would have to be provided with sufficient resources to be able to carry out its work effectively.

# IV. Implications of the creation of a special rapporteur, and recommendations

60. **The importance of eliminating laws that discriminate against women has long been recognized. The 180 States that are party to the Convention on the Elimination of All Forms of Discrimination against Women are obligated to do so under international law. The Beijing Declaration and Platform for Action provide comprehensive policy guidance for gender equality and the empowerment of women. Nevertheless, de jure discrimination persists in many**

areas, constituting an obstacle to women's full enjoyment of their rights under domestic laws. Elimination of de jure discrimination would not require significant investment of resources or the longer time periods that may be needed to modify social and cultural patterns of behaviour, as was pointed out by OHCHR.

61. While human rights treaty bodies and special procedures to some extent address discrimination against women within their mandates, their attention to such discrimination is not systematic. Attention to laws that discriminate against women is even less systematic. None of the existing mechanisms has a specific mandate to address laws that discriminate against women. The exception is the Committee on the Elimination of Discrimination against Women, which consistently addresses de jure inequality within its comprehensive mandate of tackling all forms of discrimination against women in States parties. As shown above, sex-discriminatory legislation has also not received systematic attention under the communications procedure of the Commission on the Status of Women.

62. A dedicated mechanism that would tackle such laws as its primary and exclusive concern, rather than as incidental to a broader mandate, from a global perspective could provide the necessary momentum for change that has so far been absent. A special rapporteur on laws that discriminate against women could present comprehensive reviews and analysis of existing sex-discriminatory laws and engage with Member States to promote change in this area.

63. A new mechanism of the Commission on the Status of Women would significantly enhance the Commission's capacity to monitor implementation of the Beijing Platform for Action and the outcome document in the area of discriminatory laws, especially since they contain a time-bound target for achieving this goal. Regular annual dialogue with the mandate holder would enrich the debates in the Commission. A special rapporteur could examine systematically the legislative aspects of the Commission's themes, especially those in its multi-year programme of work, and her/his findings and recommendations would enhance the Commission's work in relation to those themes. A special rapporteur could also pay sustained attention to particular areas of law over a longer period of time, monitor progress and challenges in eliminating discriminatory laws and suggest ways to tackle them. The Commission's consideration at its fiftieth session of its working methods and future multi-year programme constitutes a timely opportunity to consider, within this framework, the question of such a mechanism and its specific mandate.

64. The analytical reports a special rapporteur would prepare could also be beneficial to the Committee on the Elimination of Discrimination against Women and to other treaty bodies, and could add a global and thematic perspective on laws that discriminate against women and ways for eliminating them to the work of treaty bodies. They could also enhance the work of thematic special procedures within their respective mandates by highlighting the implications of sex-discriminatory legislation in different areas. Interaction between the mandate holder and the Committee, as well as with other bodies should be systematized from the outset.

65. **A special rapporteur on sex-discriminatory legislation could also further strengthen and enhance the links between the intergovernmental body — the Commission on the Status of Women, and the expert body, the Committee on the Elimination of Discrimination against Women, in pursuit of the common goal of the realization of gender equality. Attention to the legal basis of gender equality in all States would enhance the Commission's ability to promote effective and complementary policy approaches for implementation of the Platform for Action at the national level.**

66. **Consideration of the question of the advisability of the creation of a special rapporteur on laws that discriminate against women should include a discussion of the framework for the mandate, including the human rights and policy instruments which should guide the work.**

67. **The Commission should also consider the scope of work of a special rapporteur, such as a focus on de jure discrimination against women, and areas of law to be covered. Consideration should be given to the working methods, where responsibility for thematic analysis of sex-discriminatory laws, interaction with Member States, including country visits aimed at information collection, advice and advocacy, and receipt of communications and related follow-up with Member States should be considered. Attention should also be given to the qualifications of the mandate holder, with a focus on expertise and independent status.**

68. **As discussions on reform of the human rights mechanisms continue, coordination between the Commission on the Status of Women and the future Human Rights Council regarding the work of the special rapporteur will be important. Attention needs to be given to the ways in which a special rapporteur of the Commission on the Status of Women would interact and coordinate with existing mechanisms of the Commission on Human Rights so as to avoid duplication and overlap. A special rapporteur of the Commission on the Status of Women could be catalytic in bringing the attention of existing mechanisms to bear on the gender perspectives of their mandates in regard to discriminatory legislation.**

*Notes*

[1] Neuwirth, Jessica, addresses some of these aspects in: "Inequality Before the Law: Holding States Accountable for Sex Discriminatory Laws Under the Convention on the Elimination of All Forms of Discrimination against Women and Through the Platform for Action", *Harvard Human Rights Journal*, Volume 18, Spring 2005; see also "Preliminary Proposal for a Special Rapporteur on laws that discriminate against women", paper prepared by *Equality Now*, November 2004.

[2] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[3] The human rights treaties and treaty bodies are: the International Convention on the Elimination of All Forms of Racial Discrimination/Committee on the Elimination of Racial Discrimination; the International Covenant on Economic, Social and Cultural Rights/Committee on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights/Human Rights Committee; the Convention on the Elimination of All Forms of Discrimination against Women/Committee on the Elimination of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment/Committee

against Torture; the Convention on the Rights of the Child/Committee on the Rights of the Child; and the International Convention on the Protection of Migrant Workers and Members of their Families/Committee on Migrant Workers.

[4] Treaty body experts receive also other information, including from non-governmental organizations, United Nations entities and national human rights institutions.

[5] Several treaty bodies also examine implementation of the treaty in the absence of a report.

[6] This analysis is based on the concluding comments adopted by the Committee on the Elimination of Discrimination against Women in the January 2000-January 2005 period, the concluding observations of the Human Rights Committee in the October 2002-November 2005 period, the concluding observations of the Committee on Economic, Social and Cultural Rights in the April 2002-May 2005 period, the concluding observations of the Committee on the Elimination of Racial Discrimination in the March 2003-August 2005 period, the concluding observations of the Committee on the Rights of the Child in the January 2003-September 2005 period, and the concluding observations of the Committee against Torture in the November 2002-May 2005 period. The Committee on Migrant Workers has yet to consider reports of States parties and is therefore not included in this analysis.

[7] The general recommendations of the Committee on the Elimination of Discrimination against Women can be found on the website of the United Nations Division for the Advancement of Women at http://www.un.org/womenwatch/daw/cedaw/recommendations/index.html.

[8] The concluding comments of the Committee on the Elimination of Discrimination against Women are contained in the annual reports of the Committee to the General Assembly and can be viewed on the website of the United Nations Division for the Advancement of Women at http://www.un.org/womenwatch/daw/cedaw/.

[9] The concluding observations of the Human Rights Committee are available on the website of the Office of the High Commissioner for Human Rights at http://www.ohchr.org/english/bodies/hrc/sessions.htm.

[10] The concluding observations of the Committee on Economic, Social and Cultural Rights are available on the website of the Office of the High Commissioner for Human Rights at http://www.ohchr.org/english/bodies/cescr/index.htm.

[11] The concluding observations of the Committee on the Rights of the Child are available on the website of the Office of the High Commissioner for Human Rights at http://www.ohchr.org/english/bodies/crc/sessions.htm.

[12] The concluding observations of the Committee on the Elimination of Racial Discrimination and the Committee against Torture are available on the website of the Office of the High Commissioner for Human Rights at http://www.ohchr.org/english/bodies/cerd/sessions.htm, and http://www.ohchr.org/english/bodies/cat/sessions.htm.

[13] The first Optional Protocol to the International Covenant on Civil and Political Rights; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; article 22 of the Convention against Torture; article 14 of the International Convention on the Elimination of Racial Discrimination; as well as article 77 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (not yet in force). See the respective provisions for admissibility criteria.

[14] Article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; and article 20 of the Convention against Torture.

[15] Country rapporteurs of the Commission on Human Rights are not included as part of the present analysis.

[16] For a comparative analysis of the United Nations human rights treaty bodies and special procedures of the Commission on Human Rights, see Rodley, Sir Nigel, "United Nations Human Rights Treaty Bodies and Special Procedures of the Commission on Human Rights — Complementarity or Competition?", in *Human Rights Quarterly*, Volume 25, No. 4, November 2003.

[17] See E/2000/27 and E/2001/27.

[18] See E/2002/27.

[19] See E/2004/27.

[20] See E/2005/27.

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**Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century": review of gender mainstreaming in entities of the United Nations system**

# Joint workplan of the Division for the Advancement of Women and the Office of the United Nations High Commissioner for Human Rights

## Report of the Secretary-General

*Summary*

The present report contains the joint workplan of the Division for the Advancement of Women and the Office of the High Commissioner for Human Rights. It provides a review of the implementation of the joint workplan for 2005 and the plan for 2006.

* E/CN.4/2006/1.
** E/CN.6/2006/1.

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# I. Introduction

1. On the basis of Commission on the Status of Women resolution 39/5 of 21 March 1995 and Commission on Human Rights resolution 1997/43 of 11 April 1997, a joint workplan is prepared annually for the Division for the Advancement of Women and the Office of the United Nations High Commissioner for Human Rights (the workplan for 2005 is contained in document E/CN.4/2005/69-E/CN.6/2005/6). In paragraph 13 of its resolution 2005/42, the Commission on Human Rights encouraged the Secretary-General to ensure implementation of the joint workplan, to continue to elaborate this plan on an annual basis, reflecting all aspects of work under way and the lessons learned, to identify obstacles/impediments and areas for further collaboration, and to submit them to the Commission on Human Rights and to the Commission on the Status of Women on a regular basis.

# II. Review of the implementation of the current workplan

2. During the implementation of the current joint workplan, the exchange of information between the Office of the United Nations High Commissioner for Human Rights, the Office of the Special Adviser on Gender Issues and Advancement of Women and the Division for the Advancement of Women of the Department of Economic and Social Affairs has continued.

3. The Division for the Advancement of Women and the Office of the High Commissioner continued to exchange documents, reports and information relating to the work of the human rights treaty bodies and circulated those documents to the chairpersons and members of the treaty bodies. The Office continued to provide information for the reports prepared by the Division for the Committee on the Elimination of Discrimination against Women on ways and means of expediting the work of the Committee, a regular item on the Committee's agenda.

4. During the year, the Division continued to suggest that experts on women's rights conduct the training activities of the Office with respect to reporting under international human rights instruments, and a number of other training and technical cooperation activities, expert meetings and panel discussions.

5. The Division and the Office continued coordinating their databases and websites and the Division regularly followed up with the Office on progress in updating the treaty body database. The Division facilitated the distribution of information pertaining to the Committee on the Elimination of Discrimination against Women, especially its concluding comments and views issued under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, through the list server maintained by the Office of the United Nations High Commissioner for Human Rights. It also disseminated information about the human rights treaty system through its networks. The Division contributed to the Office's preparation of a set of harmonized symbols for treaty body documentation aimed at facilitating the location and search for documents on the Official Document System and databases.

6. Two staff members of the Division participated in a series of briefing sessions, from 9 to 13 May 2005, at the Office in Geneva, on the working methods and servicing of human rights treaty bodies and of special procedures, aimed at enhancing a harmonized approach to servicing and facilitating the treaty bodies'

functioning as a unified system. A staff member of the Division participated in an internal brainstorming session organized by the Office on the proposal concerning a standing unified treaty body and in a seminar organized by the Office on special procedures, from 10 to 13 October 2005.

7. The Division for the Advancement of Women and the Office of the High Commissioner continued to cooperate with regard to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Staff members of the Division and the Office remained in contact and exchanged information regarding issues arising under and procedures in connection with the Optional Protocol.

8. The Special Adviser on Gender Issues and Advancement of Women addressed the Human Rights Committee at its eighty-third session, on 21 March 2005, and held an exchange of views on issues of common concern. The Team Leader of the Treaties and Commission Branch of the Office met with the Committee on the Elimination of Discrimination against Women at its thirty-second session, in January 2005, on the draft reporting guidelines, as the rapporteur designated by the third inter-Committee meeting was prevented from meeting with the Committee by circumstances beyond his control. The Director of the New York office of the Office of the High Commissioner held a dialogue with the Committee on the High Commissioner's plan of action at its thirty-third session, in July 2005. The Division facilitated the participation of a member of the Committee in a panel discussion organized by the Office during the fifth session of the General Assembly Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities, in January 2005.

9. The Division continued to work with the Office to revise the draft harmonized guidelines for reporting under the seven core human rights treaties, including guidelines on an expanded core document and treaty-specific reports submitted to the third inter-Committee meeting and sixteenth meeting of human rights chairpersons (HRI/MC/2004/3). It provided input into the revised guidelines (HRI/MC/2005/3), taking into account the views of the Committee on the Elimination of Discrimination against Women on the guidelines (HRI/MC/2005/6/Add.1). The Division also provided input into the report on reservations (HRI/MC/2005/5) and the report on working methods of the treaty bodies (HRI/MC/2005/4) and other documentation prepared for the fourth inter-Committee meeting and the seventeenth meeting of human rights chairpersons, which took place from 20 to 22 June and 23 to 24 June 2005 respectively. The Chairperson and two other members of the Committee on the Elimination of Discrimination against Women participated in the fourth inter-Committee meeting, with the Chairperson also participating in the chairpersons' meeting. The Division participated in both meetings. The Division is facilitating follow-up to the recommendations of both meetings and a member of the Committee will participate in the technical working group to finalize the draft guidelines, which will be convened in Geneva on 8 and 9 December 2005.

10. The Division and the Office of the High Commissioner continued to cooperate in the follow-up to the report of the Secretary-General entitled "Strengthening of the United Nations: an agenda for further change" (A/57/387 and Corr.1) as it pertains to human rights treaty bodies. In that regard, the Division is part of the Action 2

reference group, which is consulted by the Action 2 task force on all strategic and substantive questions and provides support to the task force in the development of new tools and guidelines.

11. The Division and the Office continued to support improved cooperation between the Commission on the Status of Women and the Commission on Human Rights. The Chairperson of the Commission on Human Rights at its sixty-first session addressed the Commission on the Status of Women at its forty-ninth session and the Chairperson of the Commission on the Status of Women addressed the Commission on Human Rights at its sixty-first session, as did the Special Adviser on Gender Issues and Advancement of Women. The High Commissioner for Human Rights participated in a high-level panel discussion on synergies between the national-level implementation of the Beijing Declaration and Platform for Action and of the Convention on the Elimination of All Forms of Discrimination against Women during the forty-ninth session of the Commission on the Status of Women. The session was devoted to a comprehensive 10-year review and appraisal of the implementation of the Beijing Declaration and Platform for Action. The High Commissioner, the Special Adviser and a member of the Committee on the Elimination of Discrimination against Women, participated in a panel reflecting on the 10-year anniversary of the Beijing Declaration and Platform for Action and focusing on future challenges for women's human rights, organized by the Office of the High Commissioner and the Office of the Special Adviser in parallel with the sixty-first session of the Commission on Human Rights.

12. Coordination of the preparation of reports to be submitted to intergovernmental bodies continued. When requested, the Division for the Advancement of Women contributed to reports prepared by the Office of the High Commissioner and provided information for special procedures. The Office contributed to reports prepared by the Division.

13. The Office of the High Commissioner, as a member of the task force established by the Division in support of the preparation of the Secretary-General's in-depth study on violence against women, regularly participated in task force meetings via teleconference and contributed to the dissemination of information about the study. Staff of the Office participated in two expert group meetings convened by the Division in preparation for the study (10 to 14 April 2005 and 17 to 21 May 2005) and in the consultation convened on 6 and 7 September 2005 at United Nations Headquarters. The Office facilitated the continuous interaction between the Special Rapporteur on violence against women, its causes and consequences and the Division for the Advancement of Women.

14. The Division organized a judicial colloquium on the use of international human rights law, from 25 to 27 May 2005, and a training workshop on implementation of and reporting under the Convention on the Elimination of All Forms of Discrimination against Women from 30 May to 1 June 2005 in Santiago with the participation of an expert of the Committee on the Elimination of Discrimination against Women. The Regional Representative of the Office of the High Commissioner in Chile addressed the opening meeting and a staff member of the Office participated in the events. A staff member of the Division participated in a workshop convened by the Office on the follow-up to concluding observations of the Committee on the Rights of the Child, held from 28 to 30 November 2005 in Buenos Aires.

15. A staff member of the Office participated in a workshop organized by the Division to review the approach and preliminary drafts of a manual on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, held in Utrecht, the Netherlands, from 12 to 14 May 2005. The preparation of the manual is part of the joint workplan of the Division and the Office (see E/CN.6/2003/5, para. 13).

16. The Office and the Division jointly planned a workshop on follow-up to the concluding comments and observations of the Committee on the Elimination of Discrimination against Women and the Committee on the Elimination of Racial Discrimination, with the participation of experts from both committees, to be hosted by the Government of Egypt in December 2005.

17. The Division for the Advancement of Women collaborated with the Economic Commission for Latin America and the Caribbean and the regional office for Latin America of the Office of the High Commissioner in the publication of a compilation of the concluding comments of the Committee on the Elimination of Discrimination against Women on the countries of the region.

18. The Division and the Office continued to cooperate within the framework of inter-agency mechanisms, especially the Inter-Agency Network on Women and Gender Equality under the leadership of the Special Adviser on Gender Issues and Advancement of Women. Both participated actively in the activities of several of the Network's task forces, including those on women, peace and security; gender equality and the Millennium Development Goals; gender and trade; and indigenous women. They also participated in initiatives of the Inter-Agency Standing Committee task force on gender and humanitarian assistance. The Division provided women's human rights publications, which the Office distributed, together with its own publications, at the launch of the Geneva-based inter-agency initiative on "16 Days of Activism against Gender Violence" and at film and discussion sessions organized at the Office within the same context in December 2005.

## III. Joint workplan for 2006

19. Cooperation between the Office of the High Commissioner for Human Rights and the Division for the Advancement of Women will continue in 2006 to increase attention to the human rights of women and the mainstreaming of gender perspectives in all human rights activities in the following major areas: support for human rights treaty bodies; support for intergovernmental bodies and special procedures; technical cooperation, advisory services and meetings; awareness-raising and outreach; and inter-agency cooperation. The major activities planned in those areas are outlined below.

### A. Support for human rights treaty bodies

20. The Office of the High Commissioner for Human Rights and the Division for the Advancement of Women will continue the practice of past years of coordination, cooperation and information exchange between treaty bodies. Activities will include the exchange of documents, reports and the results of the work of the treaty bodies and the circulation of those documents to the chairpersons and members of the

treaty bodies; follow-up to the recommendations of the seventeenth meeting of chairpersons of human rights treaty bodies and the points of agreement of the fourth inter-Committee meeting (including support to experts designated to participate in working groups on the harmonized reporting guidelines and reservations); and updating of the synthesized report on the working methods of all treaty bodies.

21. The Division for the Advancement of Women will contribute to the preparations for and conduct of the eighteenth meeting of persons chairing human rights treaty bodies and the fifth inter-committee meeting and to any ad hoc meetings in relation to the work of the treaty bodies that may be convened during 2006. The Division, the Chairperson and designated members of the Committee on the Elimination of Discrimination against Women will participate in those meetings. The High Commissioner for Human Rights will meet with the Committee, at its invitation, at its thirty-fourth session (to be held in January 2006) to discuss aspects of the plan of action pertaining to the human rights treaty bodies. The Division will contribute to the ongoing consultation process on treaty body reform with a view to strengthening the implementation of the treaties at the national level.

22. Exchange of information and collaboration will continue among staff of the Office and the Division and designated Committee members with regard to communications and inquiry procedures.

## B. Support for intergovernmental bodies and special procedures

23. The Division for the Advancement of Women and the Office of the High Commissioner for Human Rights will continue the established practice of cooperation in areas including support for the participation of the Chairpersons of the Commission on the Status of Women and of the Commission on Human Rights in each other's sessions and the participation of the Chairperson of the Committee on the Elimination of Discrimination against Women in their sessions. The Division and the Office will support the convening of a possible joint meeting of the bureaux of the Commissions via videoconference. Senior officials of the Division and the Office are again expected to address the Commissions, including at any panel discussion that may be organized in conjunction with their sessions.

24. Cooperation will be enhanced in the preparation of reports on similar issues to be submitted to intergovernmental bodies, such as those relating to trafficking in women and girls and to violence against women. The Office will continue to contribute to the in-depth study on all forms of violence against women that is being prepared by the Division in accordance with General Assembly resolution 58/185 of 22 December 2003, including participation in the task force set up by the Division on the study. In particular, the Division and the Office, together with the secretariat for the study on violence against children, will jointly organize, in the second quarter of 2006, a workshop for members of human rights treaty bodies and special procedures mandate holders pertaining to their consideration of violence against women and violence against children, respectively, to provide input to both studies.

25. The Division and the Office will continue to seek input and provide comments for other reports, as requested. The Division will continue to provide targeted input for the work of special procedures.

## C. Technical cooperation, advisory services and meetings

26. The Division for the Advancement of Women and the Office of the High Commissioner for Human Rights will improve early information exchange and coordination on technical cooperation activities and cooperate whenever possible in such activities, especially with respect to training activities on reporting under international human rights instruments and the follow-up to concluding comments and observations, and cooperate in preparing and piloting training packages on international human rights instruments. Staff of the Office and the Division will be invited to contribute to and participate in relevant workshops as appropriate.

27. The Division for the Advancement of Women will contribute to the implementation of the plan of action entitled "Strengthening human rights-related United Nations action at the country level: national human rights promotion and protection systems", developed by the Office of the High Commissioner in cooperation with the United Nations Development Group and the Executive Committee for Humanitarian Affairs, pursuant to Action 2 of the report of the Secretary-General (A/57/387 and Corr.1).

28. The Office of the High Commissioner will invite a staff member from the Division to participate in relevant meetings of the field representatives of the Office.

## D. Awareness-raising and outreach

29. The Division and the Office will continue to ensure that the electronic database covering the seven treaty bodies is up to date, fully operational and accessible to both. The websites of the Division and the Office will also be systematically updated and improved to enhance information about human rights in general and women's human rights in particular. The Division will continue to monitor progress with respect to integrating gender perspectives in the work of intergovernmental and expert bodies.

## E. Inter-agency coordination

30. The Office of the High Commissioner for Human Rights and the Division for the Advancement of Women, under the leadership of the Special Adviser on Gender Issues and Advancement of Women, will continue to cooperate within the framework of inter-agency mechanisms. These activities will relate to, inter alia, the implementation of Security Council resolution 1325 (2000), the Millennium Development Goals, the Convention on the Elimination of All Forms of Discrimination against Women, the follow-up to the 10-year review of the Beijing Declaration and Platform for Action and the outcome document of the twenty-third special session of the General Assembly.

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## Report of the United Nations Development Fund for Women on the elimination of violence against women

### Note by the Secretary-General

The Secretary-General has the honour to transmit herewith to the Commission on the Status of Women and the Commission on Human Rights the report of the United Nations Development Fund for Women on the activities of the Fund to eliminate violence against women, which was prepared in compliance with General Assembly resolution 50/166 of 22 December 1995.

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# Report of the United Nations Development Fund for Women on the elimination of violence against women

1. In its resolution 50/166 of 22 December 1995, the General Assembly gave the United Nations Development Fund for Women (UNIFEM) the mandate to strengthen its activities to eliminate violence against women in order to accelerate the implementation of the recommendations set out in the Beijing Declaration and Platform for Action.[1] In doing so, UNIFEM works closely with the relevant organizations and bodies of the United Nations system as part of system-wide efforts to eliminate violence against women.

2. The present report to the Commission on the Status of Women at its fiftieth session and the Commission on Human Rights at its sixty-second session documents the activities undertaken by UNIFEM in 2005 to eliminate violence against women.

## United Nations Trust Fund in Support of Actions to Eliminate Violence against Women

3. Under the guidance of General Assembly resolution 50/166, the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women was established in 1996, with UNIFEM as the Fund's administrator, and became operational in 1997. That resolution positioned the Trust Fund as a key mechanism with respect to the advance action to address violence against women as set out in the Beijing Declaration and Platform for Action. Since its inception, the Trust Fund has continued to identify and support innovative and catalytic initiatives around the world that aim to break new ground, create new models and mobilize new constituencies in the growing movement to eliminate violence against women in all of its manifestations.

4. Through the Trust Fund, UNIFEM links innovative efforts to end violence against women with opportunities to replicate and scale up successful strategies. The Trust Fund generates lessons and good practices that inform larger programmes of the United Nations and its civil society and governmental partners at the national, regional and global levels.

5. A revised Trust Fund strategy for the period 2005-2008, approved by the Inter-Agency Project Appraisal Committee in 2004, began implementation in 2005. The revised strategy introduced changes built on lessons learned from the first eight years of the Trust Fund's operation — including in the areas of impact, involvement, knowledge, efficiency and resources. Under the revised strategy, Trust Fund decision-making is devolved to the subregional level, and focuses on enhancing and supporting the vast array of laws and policies that have been created in all regions of the world to address the multiple forms of violence faced by women.

6. Since its inception, the Trust Fund has instituted a number of measures to facilitate the involvement of a wide range of stakeholders. In the 2005-2008 phase of the Trust Fund, further efforts are being undertaken to expand the involvement of United Nations organizations and other key actors. In particular, the Trust Fund is facilitating greater participation in the call for proposals in the field and at headquarters, in vetting proposals, in pooling resources to support proposal efforts,

and in convening grantees regionally together with United Nations organizations to support mutual learning, stronger partnerships, replication and upscaling.

## 2005 Trust Fund grant making cycle

7. In November 2005, the tenth grant making cycle of the Trust Fund provided US$ 1.8 million to 24 initiatives in 30 countries. Despite a doubling of the Trust Fund's resources in 2005, demand for Trust Fund support far exceeded its resources, and the Trust Fund was able to fund only 24 of the more than 1,000 grant proposals received.

8. Proposals were submitted for final review to 12 subregional Inter-Agency Project Appraisal Committees, meetings of which were held in Ecuador, Mexico, Brazil, Barbados, Senegal, Nigeria, Kenya, South Africa, Nepal, Thailand, Fiji and Slovakia. In the subregional Appraisal Committees, members of the United Nations system met together with national experts on violence against women to determine grant allocations. United Nations organization members of the 2005 Appraisal Committee included representatives of the International Labour Organization (ILO), the Office of the United Nations High Commissioner for Human Rights, the Pan American Health Organization (PAHO), the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Human Settlements Programme (UN-HABITAT), the Joint United Nations Programme on HIV/AIDS (UNAIDS), the World Food Programme (WFP) and the World Health Organization (WHO).

9. Trust Fund grant making focused on two areas. First, support was provided for the implementation of laws, policies and plans to combat violence against women. Additionally, submissions were invited for innovative approaches to addressing the interlinkages between HIV/AIDS and violence against women. The Global Coalition on Women and AIDS, of which UNIFEM is a member, has identified violence against women as a priority area of action to reduce women's vulnerability to HIV and improve their access to HIV and AIDS services. In the 2005 cycle, 10 Trust Fund grants support projects that increase action and knowledge about the linkages between domestic violence and HIV/AIDS, and about the violence that prevents women from seeking HIV information and health services. Grants through the Trust Fund will stimulate action on the ground as well as expand the evidence base and feed into advocacy.

10. Fourteen projects to support the implementation of laws, policies and plans of action have been funded under the 2005 Trust Fund cycle in Mali, Nigeria, Swaziland, the United Republic of Tanzania, Bhutan, Cambodia, Pakistan, Papua New Guinea, the former Yugoslav Republic of Macedonia, Tajikistan, Brazil, Colombia, Dominica and the Dominican Republic. Among these initiatives:

- In the United Republic of Tanzania, the implementation of the law prohibiting trafficking for sexual exploitation and forced labour will be supported through educational initiatives to help young people know what their rights are and understand how to recognize fraudulent job recruitment promises.

- In Cambodia, the development of government strategies to ensure effective implementation of the new domestic violence law will be supported through a public awareness campaign and the training of volunteers to provide legal aid and counselling.

- In the former Yugoslav Republic of Macedonia, new provisions on domestic violence have been introduced into the criminal and family codes. Support will be provided to translate the new laws into effective and consistent practices nationwide, by forging a partnership with key government agencies and networks of service providers, and through outreach to the public.

- In Brazil, support will be provided to improve black women's access to new legal protections. A Network of Black Women against Violence will be organized to advocate for women's rights in the Metropolitan Region of Rio de Janeiro and to study the impact of violence against black women.

- In Dominica, a coordinated multisectoral approach to implementing domestic violence laws will be supported. The Dominica Women's Bureau and the National Council of Women will bring together government representatives, judiciary, police, men's organizations, legal aid and other civil society actors to raise public awareness, improve services and review resources in support of existing laws to ensure that they have the required funding.

11. Projects addressing the linkages between violence against women and HIV/AIDS have been funded under the 2005 Trust Fund cycle in the Democratic Republic of the Congo, South Africa, Uganda, India, Viet Nam, Nepal, Samoa, Haiti, Mexico and Peru. Among these initiatives:

- In South Africa, an arts-based project will focus on the role of gender-based violence in the transmission of HIV, using participatory art forms such as community theatre workshops to involve audiences, increase public awareness and encourage public action.

- In India, support will be provided to counter stigma, and promote the rights of women living with HIV/AIDS to access health-care, medical and legal services and to own property, aiming particularly at reducing discrimination and violence within the families of women living with the disease.

- In Haiti, HIV/AIDS education will be incorporated into support groups and forums for survivors of rape. The project will also support the development of community-based committees to organize around the issue of HIV/AIDS and its link to violence.

- In Mexico, an assessment will be conducted of young rural women's perceptions of gender-based violence and HIV/AIDS in the state of Chiapas, to identify sociocultural attitudes that could increase women's vulnerability to contracting HIV/AIDS. The information will be provided to local health and education authorities and community groups and used to design culturally appropriate intervention strategies.

12. Resources for the Trust Fund doubled in 2005 to $1.8 million from $900,000 in the previous year. In addition to continuing support from the Government of Finland, increased resources were made possible through a first-time contribution by the United States of America. A first-time contribution from a private sector partner, Johnson & Johnson (global manufacturer and provider of health-care

products and services), specifically focused on supporting programmes linking HIV/AIDS and violence against women. Zonta International, a non-governmental organization, was another first-time contributor and the UNIFEM National Committees have also increased their contribution. The decentralizing of the Trust Fund programme approval process to regional Project Appraisal Committees resulted in small additional investments from United Nations partners. Additionally, regional and national replications of the Trust Fund are contributing to a larger resource base. In 2005, efforts began to launch a regional Trust Fund to end violence against women; and a national Trust Fund, created in partnership with private sector partners, is being launched in Brazil. A continued increase in Trust Fund contributions is urgently required to enable the Trust Fund to support the considerable number of worthwhile proposals that are submitted annually.

## UNIFEM programming under the 2004-2007 multi-year funding framework

13. In addition to administering the Trust Fund, UNIFEM identifies and supports innovative and catalytic strategies to end violence against women in its programming and partnerships. Four outcome-level results are pursued in end-violence programming under the UNIFEM 2004-2007 multi-year funding framework, whereby: (a) legislation and policies are formulated and implemented to promote and protect women's human right to be free from violence; (b) mainstream institutions demonstrate the leadership, commitment, technical capacity and accountability needed to address violence against women; (c) gender equality advocates have the knowledge and are positioned to spearhead and transform policies, programmes and resource allocations so as to end violence against women; and (d) there is a change from harmful and discriminatory attitudes and practices that perpetuate violence against women. Specific areas of focus for UNIFEM programming vary according to the regional context, with, for example, heightened attention to the issue of trafficking of women in the South Asian region, and to the intersection of violence against women and HIV/AIDS in sub-Saharan Africa.

14. In its programming to strengthen laws and policies, UNIFEM has been supporting efforts to introduce, retain or strengthen domestic violence legislation in the Dominican Republic, Ecuador, Fiji, Indonesia, Kazakhstan, the Lao People's Democratic Republic, Mexico, Mongolia, Nepal, the Philippines, Tajikistan, Thailand and Zimbabwe; to strengthen the policy response to femicide in Mexico, Central America and the Andean region; and to support the criminalization of gender-based violence in Sierra Leone and sexual violence in Peru. A regional programme to reduce trafficking in women and children in South Asia supported Governments and non-governmental organization partners in a review of laws related to trafficking, as well as policies and practices of the criminal justice systems and institutional mechanisms in different countries. Draft amendments to existing legislation were proposed in Nepal and a revised bill tabled in the lower house of parliament. UNIFEM has also worked within the United Nations system to advocate for a consistently applied policy to address violence against women in post-conflict needs assessments and responses to crises.

15. Where efforts to reform law and policy are at a preliminary stage, UNIFEM support focuses on reviews, assessments and consensus-building. UNIFEM assistance to the Coalition against Sexual Harassment in Barbados will inform the

law reform process in that country and across the Caribbean, with advoc planning to renew calls for a stronger legal framework. In Chile, UNIFEM wor with regional women's human rights networks and HABITAT to bring a ger perspective to "Chile + Seguro", a national programme designed to increase ur security. In Sierra Leone, UNIFEM supported the Law Reform Commissi undertaking of a comprehensive review of the existing legal framework as part o work on criminalizing gender-based violence.

16. In its programming to strengthen mainstream institutional responses violence against women, UNIFEM works to build the capacity of duty-bearer fulfil their obligations to promote and protect women's human rights, with a fo on the judiciary, law enforcement, parliamentarians, ministries of health and fore affairs, departments of statistics and United Nations partners. In Rwanda, example, capacity gaps have been hampering the ability to respond to viole against women, and the need for a coordinated strategy was identified. UNIF responded by providing support for: (a) the alignment of all actions to com violence against women with the national action plan; (b) the establishment o gender desk at the national police headquarters; (c) the training of law enforcem and community leaders on means to ensure that women's human rights are respec in responses to violence against women; and (d) the collaboration betw parliamentarians and civil society to ensure that legal reform measures in the area violence against women respect their human rights entitlements.

17. Responses to the pandemic of violence against women are hampered by a l of accurate data and statistics about its scope and prevalence. UNIFEM supporting efforts to improve the generation and use of data in Afghanistan, Egy India, Jordan, Mexico, Saint Lucia, the Syrian Arab Republic, Thailand a Zimbabwe. In Thailand, UNIFEM participated in the National Subcommittee on Elimination of Violence against Women which has advocated for creating softw that would allow police, crisis centres and non-governmental organizations to ma data available online. The Government of Thailand has indicated its willingness allocate funds to support this ambitious project. In Zimbabwe, the Central Statisti Office has agreed to collect sex-disaggregated data on domestic violence. UNIFE UNFPA and the Musasa Project developed a module on domestic violence that w be used by the Office during the Demographic and Health Survey. UNIFEM w also be working with UNDP and UNFPA to support national partners in t undertaking of a national survey on violence against women.

18. Although incidents of violence against women have reached epidem proportions in many of today's war zones, a systematic, coherent framework f inter-agency action to support prevention and response is still lacking. Unit Nations bodies and non-governmental organizations have come together brainstorm on ways to develop a global initiative to end rape in war. The initiati will address the issue of rape committed by combatants as well as by communi leaders, service providers and peacekeepers. UNIFEM is coordinating the advoca component of this global initiative which recognizes that rape not only spurs cycl of violence, but also blocks women's effective participation in reconstruction a post-conflict peacebuilding. Plans are under way to carry out a campaign to end ra in conflict situations with the aim of enhancing prevention and security a implementing strategies to protect women and improve access to legal redress.

19. At the regional level, UNIFEM advocacy has included the Latin American campaign "For the Health of Women, for the Health of the World: No More Violence!". Among the campaign's partners are PAHO, UNFPA, UNICEF, UNDP and United Nations International Research and Training Institute for the Advancement of Women (INSTRAW), as well as the Center for Women's Global Leadership, the Inter-American Commission of Women, the Inter-American Parliamentary Group on Population and Development, and the Inter-American Alliance for the Prevention of Gender-based Violence from a Health Perspective. In 2005 the Latin American campaign, as part of the global 16 days of activism against violence against women, focused on the connection between violence against women and women's vulnerability to HIV/AIDS.

20. UNIFEM programming to strengthen the capacity of gender equality advocates to spearhead approaches to ending violence has drawn on the example of the Trust Fund. In Central Asia, the regional replication by UNIFEM of the Trust Fund in 2004 has built capacity and broader partnerships among numerous women's organizations, which continued to support progress in 2005. In Kazakhstan, the Union of Crisis Centres established close working relationships with the special unit on protection of the Ministry of Internal Affairs. In Uzbekistan, the non-governmental organization Ikbol launched a strategy for raising awareness about gender-based violence among soldiers, which resulted in the inclusion of its training module in the capacity-building plan of the Ministry of Defence.

21. Finally, in 2005, UNIFEM and the World Bank entered into a partnership to develop an evaluation methodology designed to assess the impact of community-based anti-violence initiatives. One of the key recommendations of a 2004 workshop held by the World Bank on the development implications of violence against women had been that further evidence should be provided on the effectiveness of interventions. UNIFEM has also identified the need to conduct further evaluations of projects supported by the Trust Fund so as to draw lessons therefrom on which approaches are most effective in addressing violence against women. UNIFEM and the World Bank are working together to develop and field-test an evaluation methodology with projects selected from the Trust Fund. The methodology and its findings will be documented and disseminated for use in future initiatives to combat violence against women.

## Conclusion

22. Violence against women is the most pervasive violation of human rights, occurring every day, in every country and every region, regardless of income or level of development. The release of the Secretary-General's study on violence against women in 2006 will offer an important opportunity to provide guidance to Governments, the United Nations system and the broader community on steps forward in addressing the issue. In 2004 and 2005, UNIFEM has been participating actively in the study, in particular to ensure that it benefits from the experiences of the Trust Fund and the lessons learned therefrom.

23. States Members of the United Nations have repeatedly recognized the need to eliminate violence against women, through resolutions of the General Assembly, including resolution 50/166 under whose guidance the Trust Fund was created. Most recently, at the 2005 World Summit, Heads of State and Government reaffirmed

their commitment to eliminating discrimination and violence against women, underlining that progress for women is essential to achieving all internationally agreed development goals, including the Millennium Development Goals. To achieve this aim, it is critically important that the existing level of support provided to combating violence against women is significantly increased and that effective, innovative approaches are replicated on a larger scale.

*Notes*

[1] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

United Nations E/CN.6/2006/11

# Economic and Social Council

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27 February-10 March 2006
Item 3 of the provisional agenda*
**Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century"**

## Strengthening of the International Research and Training Institute for the Advancement of Women

### Note by the Secretary-General

The Secretary-General has the honour to transmit hereby to the Commission on the Status of Women the report of the Director of the International Research and Training Institute for the Advancement of Women on the implementation of the Institute's programme of work and strategic plan 2004-2007. In paragraph 4 of its resolution 49/6, the Commission requested the Executive Director of the Institute to report to the Commission at its fiftieth session, in particular on those activities related to the follow-up to the Beijing Declaration and Platform for Action and the outcome documents of the twenty-third special session of the General Assembly.

* E/CN.6/2006/1.

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# Report of the Director of the International Research and Training Institute for the Advancement of Women on the strengthening of the Institute

*Summary*

Pursuant to resolution 49/6 of the Commission on the Status of Women, the present report provides information on the implementation of the programme of work of the International Research and Training Institute for the Advancement of Women (INSTRAW). As recognized by the Commission in its resolution, the Institute has undertaken a number of strategic initiatives including the redesign of its website, the strengthening of cooperative arrangements with United Nations entities, the expansion of its research programme, the intensification of its fund-raising campaign, the enhancement of communication with governmental agencies, civil society, academia and the private sector, and the strengthening of its training, capacity-building and outreach activities.

The Institute's annual programmes of work draw from its strategic framework 2004-2007, which guides the Institute's work in three strategic areas: applied research, information gathering and dissemination, and capacity-building on gender issues. Each annual programme establishes specific thematic areas for the Institute's work and, through its outputs, lays the foundation for activities in subsequent years of the framework. The framework was devised on the basis of mandates and recommendations provided in resolutions, reports and outcome documents of the Institute's governing body and mandates received from international conferences, the Economic and Social Council and the General Assembly.

The Institute contributed to the review and appraisal of the Beijing Declaration and Platform for Action through an analysis and identification of areas of future work, and developed a pioneer initiative to include gender in the analysis of remittances and development. The aims of the latter are to highlight women's contribution to the economies of their countries of origin and identify women's needs and interests and changing roles within the family and policy recommendations to improve women's economic benefits.

As a result of its revitalization process, the Institute is better positioned to make valuable contributions to women's empowerment, gender equality, engendering the Millennium Development Goals, and gender mainstreaming throughout the United Nations system.

The commitment of sufficient resources from Member States in order to secure medium- and long-term sustainability for the Institute will facilitate its full compliance with its mandates.

## Introduction

1. The framework of the strategic plan 2004-2007[1] outlines the mission, overarching goals and strategies to guide the work of the International Research and Training Institute for the Advancement of Women in support of the agenda for gender equality and women's advancement. The strategic plan is based on the Institute's founding mandate as set out by the Economic and Social Council and the General Assembly.[2] The strategic plan recognizes that the mandate based on which the Institute was founded has been augmented by successive Assembly and Council resolutions and decisions. In strategies agreed to at a series of major world conferences and summits and their follow-up, particularly the Millennium Summit, the Fourth World Conference on Women and the twenty-third special session of the Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", the Assembly, the Council and the Commission on the Status of Women had emphasized the role of the Institute as the only entity in the United Nations system devoted entirely to research, training and information on gender equality.

2. The strategic plan emphasizes that the mission of the Institute is to serve as a major catalyst in innovative gender initiatives, by continuing to focus on four strategic areas: applied research; information-sharing and dissemination; capacity-building; and institutional development.

3. The goals for each of these four areas are as follows:

- Applied research: conduct research on existing gender-responsive policies to assess the implementation/gaps; promote the application of lessons learned and the replication of best practices, and feed back into local, regional and global policies.
- Information-sharing and dissemination: develop effective management of gender-related knowledge so as to support Governments and civil society in their efforts to mainstream gender into policies and programmes.
- Capacity-building: support capacity-building on gender mainstreaming based on lessons learned from applied research and knowledge management.
- Institutional development of the Institute: shape a sustainable institution that is sound and innovative and applies good governance.

4. The Institute implements an annual workplan that sets out its specific activities in research, information-sharing and capacity-building from the strategic framework and lays the foundation for continued activities in subsequent years. The following section provides information on the implementation of the Institute's programmes of work for the period 2004-2005.

[1] The strategic framework of the International Research and Training Institute for the Advancement of Women 2004-2007 was approved by the Executive Board of the Institute at its resumed first session held in 2004. For more information, see the Institute website (http://www.un-instraw.org/en/index.php?option=content&task=view&id=43&Itemid=79).

[2] Economic and Social Council resolution 1998 (LX) of 12 May 1976 and Council decision 1984/124 of 24 March 1984 endorsed by the General Assembly in its resolution 39/122 of 14 December 1984.

# I. Implementation of work

5. One of the major thrusts of the strategic plan 2004-2007 entails the strengthening of partnerships between the Institute and other organizations within the United Nations system. In this regard, the Institute continues to actively participate in the Inter-Agency Network on Women and Gender Equality and is a member of the task forces on gender equality; gender information and communication technologies; women, peace and security; WomenWatch; gender and water; and indigenous women.

6. The Institute and the United Nations Development Fund for Women (UNIFEM) had signed an agreement for collaboration in November 2004 that had the main objective of building synergies for women's empowerment and gender equality. Both entities jointly organized a meeting on "Gender information in the Americas" (26 and 27 May 2005, New York) at which information officers from United Nations organizations and non-governmental organizations gathered to discuss the availability and dissemination of gender information. Participants also identified the gaps in gender information resources in order to draw up a joint strategy for the production and dissemination of gender information.

7. The Institute has also signed a memorandum of understanding with the United Nations Educational, Scientific and Cultural Organization (UNESCO) for the purpose of collaborating in various areas, including online courses on gender and information and communication technologies (ICT), gender and HIV/AIDS, trafficking of women, and gender and peace. Another area of collaboration with UNESCO concerns the establishment of a Palestinian Women's Resource Centre to serve as an observatory and clearing house of information related to women's issues in Palestine.

8. The Institute has also collaborated with the United Nations and other organizations on a number of other initiatives including: the UN-Energy network in the development of the policy document prepared on energy and the Millennium Development Goals; the Task Force for the Secretary-General's study on violence against women; and the Gender and Development section of Development Gateway, in which the Institute is now a "cooperating organization".

9. The Institute continued to cooperate with the United Nations Online Network in Public Administration and Finance (UNPAN).

10. The Institute has also received support from the Department of Economic and Social Affairs of the United Nations Secretariat, the Pan-American Health Organization (PAHO) and the United Nations Population Fund (UNFPA) with the participation of their personnel in the development of the Institute's strategic plan 2004-2007.

## A. Research

11. Annual work programmes in 2004 and 2005 have identified specific issues for research including financing for development; ICT and women's empowerment; migration-related issues (remittances); security and gender; and governance and women's political participation.

**Financing for development**

12. The conceptual framework for and study on gender issues in financing for development[3] are available at a special website section which also contains a glossary of terms and other resources. The study, which has been printed, analyses the outcome document of the International Conference on Financing for Development, namely, the Monterrey Consensus of the International Conference on Financing for Development,[4] from a gender perspective; and it states that gender concerns were not adequately recognized, calls upon Governments and international institutions to recognize the crucial role of the economic empowerment of women and their contributions in both market and non-market sectors of the economy, and offers strategies for action.

**ICT and women's empowerment**

13. The Institute has developed a conceptual framework on gender and ICT available through the Institute website. This framework includes an overview of the main issues, perspectives on future directions for research, a glossary, a bibliography and other resources. In addition, it provides the complete texts of Institute papers on topics such as the potential of ICT for women's empowerment, gender and e-government, and women's employment in call centres.

**Migration-related issues (remittances)**

14. Despite the emergence of increasing numbers of migrant women workers and the growing importance of remittances for the economies of many families in developing countries, very little systematic research has been conducted on the gender dimensions of remittances. A critical review of the impacts of remittances from a gender perspective can enrich the identification of policies aimed at increasing the development potential of remittances. To address this situation, the Institute developed a research framework for a gender analysis of the sending and receipt of remittances as well as their impact on household and gender relations.

15. The research framework is available through the Institute website. The Institute also prepared a working paper (June 2005) that addresses issues such as traditional forms of inheritance; access to credit; limitations on property ownership; use, control and distribution of resources within the household; the sexual division of labour; and decision-making within households and communities. Published under the title "Crossing Borders: Gender Remittances and Development", the paper aims to establish the basis for formulating a more adequate response to questions such as how the growing feminization of migration affects remittance flows; how remittances can contribute to the achievement of gender equality; and how remittances can be mobilized so that sustainable development that includes women can be achieved.

16. To raise awareness on the importance of analysing gender perspectives in respect of remittances in the Americas, the Institute collaborated with the Inter-

[3] Maria Floro and others, "Gender Issues and Concerns in Financing for Development", INSTRAW Occasional Paper No. 3, March 2004, available from www.un-instraw.org/en/index.php?option=content&task=view&id=838&Itemid=134 - 21k - Jan 9, 2006.

[4] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18-22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

American Development Bank/Multilateral Investment Fund (MIF) in a seminar on gender and remittances held during the International Forum on Remittances (28-30 June 2005, Washington, D.C.). In a similarly organized meeting, INSTRAW collaborated with the Asian Development Bank to examine gender perspectives in remittances in this region. A compact disc containing background information, Institute working papers and other articles, a bibliography, a fact sheet, a glossary and texts of international agreements related to the issue of gender and remittances was prepared and circulated among participants at these and other related meetings.

17. The Institute also participated in other international events in order to emphasize the gender dimensions of remittances and their impact on women's economic and household status.[5] These meetings also provided opportunities for the Institute to highlight additional areas where research is still needed and stress the importance of mainstreaming gender into programmes and projects that address migration and remittances.

18. In keeping with the implementation of its 2005 workplan for this research area, the Institute initiated activities related to the undertaking of case studies in selected countries in order to gain further insights on the gender dimensions of remittances and their impact on gender relations and social change. With funding received from UNFPA, the Institute developed a methodology for case studies on gender and remittances. This methodology was first applied to a case study in the Dominican Republic,[6] which examines the impact of migrants' remittances transferred between the Dominican Republic and Spain. This methodology will also be applied to other case studies to be undertaken during 2006 in order to obtain comparable data.

**Security and gender**

19. In line with the Security Council's annual review of the implementation of its resolution 1325 (2000) on women, peace and security and to further promote gender mainstreaming in the security sector, the Institute has undertaken a number of activities. Two e-discussions were held on: gender and security sector reform; and gender and conflict prevention/conflict resolution.[7] There was general consensus that the definition of security needed to be broadened and that women's/gender issues were lacking in current security sector reform initiatives. Participants from both discussions identified research and capacity-building needs, such as the integration of gender issues into security sector reform assessments.

20. As part of the efforts to advocate for mainstreaming gender into security sector programming and reform efforts, the Institute prepared an analytical framework for gender and security sector reform which contains a number of resources and is available on the Institute's website.

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[5] International Conference for Women Leaders on "Migration and Gender Issues within the Millennium Development Goals", held in Haifa, Israel, from 25 to 28 September 2005; and the Tenth Association for Women's Rights in Development (AWID) International Forum on Women's Rights and Development entitled "How Does Change Happen?", held in Bangkok from 27 to 30 October 2005.

[6] "Development potential of remittances with a gender perspective: the case of the Dominican Republic".

[7] These e-discussions were held from 4 October to 7 November 2004 and from 22 November to 20 December 2004, respectively. Summaries of the discussions are available through the Institute's website.

21. In order to promote the need to include gender issues in policies and programmes on the security sector, the Institute organized a workshop entitled "What Next? Research and Training for the Implementation of SCR 1325" on 27 October 2004 in New York. This was followed by participation in a series of meetings including the Panel on Men, Women and Gun Violence: Options for Action organized by UNIFEM and co-chaired by the Institute (14 July 2005, New York); the Third Meeting of International Inter-parliamentarian Dialogue on Violence against Women (15 and 16 September 2005, Madrid); the International Congress to Support Harmonization of Local Legislation with International Instruments for Women's Human Rights (21 September 2005, Mexico); the regional meeting on "Developing a Culture of Peace and Conflict Prevention in the Greater Caribbean" (22 and 23 September 2005, Santo Domingo); and the Workshop for United Nations Entities on Violence against Women (5-7 December 2005, New York).

22. In line with the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,[8] the Institute participated in a meeting held in New York to analyse the gender dimensions of the use of small weapons and also collaborates with the International Action Network on Small Arms.

23. As part of its ongoing work in this area, the Institute has prepared a guide entitled "Securing Equality, Engendering Peace: A Guide to Policy and Planning on Women, Peace And Security", which serves as a resource for Governments and organizations in the drafting of their plans of action on women, peace and security issues with the aim of strengthening the implementation of Security Council resolution 1325 (2000). In addition, the Institute has prepared a methodological guide for the prevention of violence against young women, whose aim is to contribute to the development of awareness-raising and training plans on these issues. The guide is intended for youths, decision makers, technical personnel from government ministries and other organizations, and community leaders.

24. The Institute mainstreamed gender in the Training Package on Public Security developed by the United Nations Development Programme Subregional Resource Facility (UNDP SURF) and, in addition, developed a specific tool and a training module on the prevention of violence against women to be added to the package. Through the Institute's collaboration in this project, the prevention of violence against women is perceived to be a key element of an effective public security sector and one of the greatest challenges to human security. As a result, specific measures and mechanisms have been incorporated in order to ensure adequate training and capacity-building activities for security sector actors. The Institute, on the basis of the package, has also carried out two training seminars, in the Dominican Republic and El Salvador, with relevant stakeholders.

**Governance and women's political participation**

25. The Institute obtained extrabudgetary funding for the project entitled "Strengthening Governance with a Gender Focus and the Participation of Women at the Local Level". The project, which will be funded by the Spanish Agency for International Cooperation (Agencia Española de Cooperación Internacional

[8] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

(AECI)), includes a special emphasis on indigenous populations and will focus on Central America, the Andean countries and Mexico.

26. The project aims to build a knowledge base and exchange of experiences on good practices and lessons learned; to reinforce local and national knowledge and capacity through the identification and strengthening of adequate mechanisms, the preparation and implementation of a training package addressing the needs of local and national institutions and organizations, and the formation or strengthening of support networks, utilizing ICT; and to promote and facilitate the formulation of public policies to improve governance with a gender perspective and women's political participation and leadership at the local level.

27. In the first quarter of 2005, the Institute met with ministers for women's/gender affairs from the Central American countries and Mexico in order to present the project proposal under discussion with the Spanish Agency for International Cooperation and to obtain their inputs prior to finalizing the proposal. Representatives from research institutions as well as from United Nations system organizations also participated in the meeting.

28. In relation to the Spanish Agency-funded project, the Institute also received funds from the National Institute for Women (Instituto Nacional de las Mujeres (INMUJERES)) of Mexico, intended to cover its participation in the project.

29. A coordination meeting for the project, to be held from 1 to 3 February 2006 at Institute headquarters in Santo Domingo, will bring together representatives of United Nations system organizations and bilateral cooperation agencies working in the Latin American and Caribbean region whose work includes governance and women's political participation. The purpose is to facilitate an effective coordination of activities, avoid duplication, and create synergies among various project stakeholders in the areas of gender and women's political participation at the local level.

30. A special section of the website was prepared on governance, gender and women's political participation and presents the conceptual framework therefor as well as a fact sheet, a glossary, information on international instruments and events and an annotated bibliography on women's political participation in local governance in Latin America.

31. A series of country profiles have been prepared on "Women's Political and Social Participation, and Governance" for the following countries: Algeria, the Libyan Arab Jamahiriya, Mauritania, Morocco and Tunisia. These profiles are available from the above-mentioned web section on the Institute's website.

32. In related activities, the Institute participated in several meetings and events including regional conferences on "Women: builders of local development" (El Salvador, 16-18 July 2005) and "Challenges for local development" (Ecuador, 19-21 September 2005).

## B. Capacity-building

33. In response to the demonstrated demand for training materials, in particular from organizations in developing countries, the Institute expanded its collection of

gender training materials to include a mapping of existing programmes and tools; a roster of training institutes/centres; and the identification of gaps/needs.

34. The database of resources on gender mainstreaming was redesigned in order to make it more user-friendly and 300 new resources were added. The database highlights resources on issues of importance to developing countries such as water, agricultural and rural development, health and HIV/AIDS, and makes available a number of useful planning and programming resources on gender mainstreaming.

35. With funds from the Government of South Africa, earmarked for a project on HIV/AIDS and gender in Southern Africa, the Institute produced a manual for home-based caregivers, the majority of whom are illiterate and semi-literate women in resource-poor settings. The main objective of this manual is to provide family caregivers with a tool adapted to their context and specific needs that will increase their technical skills in order that the home-based care of people living with HIV/AIDS may be improved and the caregivers themselves may be helped to feel more comfortable with their roles. The manual was piloted in Zimbabwe by the researchers in a joint project undertaken by Stanford University, Palo Alto, California, and Zimbabwe University on women and HIV/AIDS. The manual, which was submitted to the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the World Health Organization (WHO), will be distributed in the field as part of the testing process. Owing to the identical roles that women play in home-based-care activities in countries with high HIV/AIDS prevalence, the Institute will also be adapting the manual to other countries and specific contexts.

36. The Institute supported activities aimed at capacity-building in the Dominican Republic through the facilitation of workshops on basic gender concepts, on women's health and on the preparation of proposals for projects with a gender perspective. Capacity-building activities for Institute staff were undertaken through their participation in a week-long national workshop on "Project Development with a Gender Perspective" held in April 2005. Staff members from government offices and other United Nations organizations in the host country also participated in the workshop which was carried out with funding provided by WHO/PAHO.

37. As part of its capacity-building programme in the Dominican Republic, the Institute has initiated a series of workshops with Dominican stakeholders on a variety of issues including women and youth, migration and ageing.

## C. Information/communications

38. The Institute undertook an overhaul of its website with a view to modernizing it, making it more user-friendly, giving it a well-defined niche and complying with the strategic goal of dissemination of information. The redesigned website allows the Institute to operate as a clearing house for gender-related research and information. Additional measures were also taken to consolidate and expand the website in line with the 2005 workplan through the inclusion of additional research areas.

39. Statistics on the number of visits to and downloads from the redesigned website have shown a considerable increase since the website was launched in mid-2004. The user-page views per month increased more than 2 1/2 times during the first year of operation. Visits to specific sections of the website such as research,

training and mainstreaming also increased significantly and have maintained an upward trend.

40. Efforts were also made to consolidate and expand the French and Spanish versions of the site. An agreement was reached with the International Organization of la Francophonie whereby it would translate all Institute materials into French as a voluntary contribution to the Institute with a view to strengthening the dissemination of information in French-speaking countries.

41. The Institute's website was enhanced with *INSTRAW Review*, a periodical magazine including opinion pieces, interviews and relevant news items on gender issues worldwide. The *Review* is published online in English, French and Spanish and is also distributed to various mailing lists. Past issues have focused on violence against women, gender and the Millennium Development Goals, gender, peace and security, and gender and energy.

42. The Institute has implemented a communications strategy through which messages related to special observances are widely disseminated among the Institute's worldwide network. These messages also draw attention to the work of the Institute as featured on its website and have proved to be an effective means of information-sharing.

43. In March 2005, the Institute launched a new paper series entitled "New Voices, New Perspectives" which aims to support and disseminate emerging research on women's and gender issues. Papers were invited in four priority research areas: gender and remittances; gender and ICT; gender and security sector reform; and gender and political participation at the local level. Eleven papers were selected and published online in their original language (English, French or Spanish). In addition, three outstanding papers were selected for printing. Papers have been received on:

(a) Gender and political participation: (i) local commissions of women in the Philippines, (ii) women in village councils in India, (iii) women's struggle for political power in Cambodia, (iv) women's political disenchantment in Colombia, (v) lessons from the quota system policy in the water sector in Nepal and (vi) Islam and women's leadership;

(b) Gender and remittances: (i) migrant workers and household welfare in Sri Lanka and (ii) impact of remittances on development in the Dominican Republic;

(c) Gender, peace and security: (i) changing masculinities in the Armed Forces of the United Kingdom of Great Britain and Northern Ireland, (ii) gender analysis of the responsibility-to-protect doctrine and (iii) how development interventions address gender-based violence.

## II. Follow-up to the Beijing review process

44. In compliance with General Assembly resolution 59/260 of 23 December 2004, in paragraph 4 of which the Assembly requested the Institute in accordance with its mandate, to actively participate in and contribute to the review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcome document of the twenty-third special session of the Assembly in the context of the forty-ninth session of the Commission on the Status of Women, the

Institute prepared a series of overview reports covering each of the 12 critical areas of the Platform for Action.[9] These reports were prepared with two objectives in mind: (a) to highlight successful experiences or "best practices" for addressing gender equality issues at the local, national and international levels and (b) to identify priority areas for future action. These reports are available in English, French and Spanish on the Institute's website and have been also distributed as a compact disc on the Beijing process.

45. In compliance with the Economic and Social Council agreed conclusions on mainstreaming the gender perspective into all policies and programmes in the United Nations system,[10] the Institute has published a gender mainstreaming guide on its website which contains a collection of over 350 resources. Its objective is to facilitate gender mainstreaming of projects, programmes and policies. Basic sections include introductions, policies and plans, and manuals, in addition to lessons learned and best practices for gender mainstreaming. Gender mainstreaming resources are also available on more than 20 different issues such as health, labour, migration, economics and education, among many others. This section of the Institute website receives the most visits.

46. The Institute has also collaborated with UNFPA and WHO in the preparation of an overview document on gender, ageing and health as part of the Beijing review process. In this regard, the Institute participated in a meeting (New York, 28 February-1 March 2005) in which the draft of the document was initially reviewed.

47. The Institute participated at a meeting of the PAHO Subcommittee on Women, Health and Development (Washington, D.C., 15 and 16 March 2005) at which it gave a presentation entitled "Missing Links: Gender Equality and the MDGs". This presentation pointed out that the Millennium Development Goals, as a powerful tool for generating consensus on international development, had the potential to further the achievement of gender equality and the empowerment of women if each of the goals took into account women's unique needs and priorities. For example, violence against women is practically invisible in the Millennium Development Goals and yet the elimination of violence against women is crucial for the equitable achievement of all eight of the goals. The presentation affirmed that the Millennium Development Goals were a practical starting point for the implementation of the Cairo and Beijing programmes and that, in turn, the Cairo and Beijing programmes contained perspectives and actions essential for the achievement of the Millennium Development Goals.

48. The Institute was invited to make one of two key presentation at the International Seminar on "International Organizations, Cooperation and Gender Mainstreaming: Good Practices and Lessons Learned" (17 November 2005, Madrid) organized by the Spanish Ministry of Foreign Affairs and Cooperation, Universidad Complutense de Madrid — Instituto Complutense de Estudios Internacionales, and Casa de America.

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[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[10] See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3* (A/52/3/Rev.1 and Add.1), chap. IV, sect. A, para. 4.

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**Follow-up to the Fourth World Conference on Women and to the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century": implementation of strategic objectives and action in the critical areas of concern and further actions and initiatives**

## Enhanced participation of women in development: an enabling environment for achieving gender equality and the advancement of women, taking into account, inter alia, the fields of education, health and work

### Report of the Secretary-General**

*Summary*

In accordance with the multi-year programme of work for 2002-2006 of the Commission on the Status of Women, the present report analyses the enabling environment for achieving gender equality and the advancement of women, and presents challenges and opportunities for enhancing women's participation, including in the areas of education, health and work. The report concludes with recommendations for consideration by the Commission.

* E/CN.6/2006/1.

** The present report was submitted late to allow for the incorporation of inputs from the Expert Group Meeting.

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# I. Introduction

1. In accordance with its multi-year programme of work for 2002-2006,[1] at its fiftieth session, the Commission on the Status of Women will review the thematic issue of "Enhanced participation of women in development: an enabling environment for achieving gender equality and the advancement of women, taking into account, inter alia, the fields of education, health and work".

2. In order to contribute to a further understanding of this issue and to assist the Commission in its deliberations, the Division for the Advancement of Women of the United Nations Secretariat, in collaboration with the Economic and Social Commission for Asia and the Pacific (ESCAP), organized an Expert Group Meeting on the same theme in Bangkok from 8 to 11 November 2005. The outcome of the Meeting[2] has provided input for the present report.

3. The report provides an overview of challenges, opportunities and promising strategies for enhancing an enabling environment for gender equality and the advancement of women, with illustrative examples from the areas of education, health and work. The report concludes with recommendations for consideration by the Commission.

# II. Women's participation in development

4. In the Beijing Declaration adopted by the Fourth World Conference on Women in 1995, Member States expressed their conviction that women's empowerment and their full participation on the basis of equality in all spheres of society, including in the decision-making process and access to power, are fundamental for the achievement of equality, development and peace.[3] The Declaration also stressed that it was essential to design, implement and monitor, with the full participation of women, effective, efficient and mutually reinforcing gender-sensitive policies and programmes, including development policies and programmes, at all levels.[4] The Beijing Platform for Action noted that the full and equal participation of women in political, civil, economic, social and cultural life at the national, regional and international levels was a priority objective of the international community.[5] In the Political Declaration adopted at the twenty-third special session of the General Assembly in 2000, Member States pledged to undertake further action to ensure the full and accelerated implementation of the Platform for Action, inter alia, through promoting full participation and empowerment of women.[6]

5. The Declaration on the occasion of the tenth anniversary of the Fourth World Conference on Women, adopted by the Commission on the Status of Women during the 10-year review and appraisal of the implementation of the Platform for Action and the outcome of the twenty-third special session of the General Assembly, held at its forty-ninth session in 2005, welcomed the progress made thus far towards achieving gender equality, stressed that challenges and obstacles remained and pledged to undertake further action to ensure full and accelerated implementation.[7] The 2005 World Summit reaffirmed that gender equality and the promotion and protection of the full enjoyment of all human rights and fundamental freedoms for all were essential to advancing development and peace and security.[8]

6. The preamble of the Convention on the Elimination of All Forms of Discrimination against Women[9] stressed that the full and complete development of a

country, the welfare of the world and the cause of peace required the maximum participation of women on equal terms with men in all fields. Article 7 required States parties to ensure that women had the right to participate in political and public life, including in elections, in government policy formulation and in non-governmental organizations. The provisions of articles 10, 11 and 12 of the Convention stipulated the legal commitments of States parties to take all appropriate measures to eliminate discrimination against women and ensure equal access and equal rights in education, employment and health.

7. In its examination of reports of States parties, the Committee on the Elimination of Discrimination against Women has noted that where there is full and equal participation of women in public life and decision-making, compliance with the Convention improves. The Committee has stressed the importance of a comprehensive approach to ensuring the implementation of Convention provisions, including through women's active participation in the areas of education, health and work. For example, the Committee recommended that Governments should involve women in the planning, implementation and monitoring of health policies and programmes and in the provision of health services to women.[10]

8. The Millennium Project Task Force on Education and Gender Equality highlighted three critical dimensions of empowerment that affected women's enhanced participation in development: (a) equal capabilities, for example, as measured by education and health; (b) equal access to opportunities and resources, for example, to employment, economic resources, land and infrastructure; and (c) agency, for example, women's ability to claim their rights, participate in decision-making processes, for example, in political institutions, and exercise leadership.[11] Development in all three areas is required to ensure that women can be fully involved in, influence and benefit from development processes.

9. The nature and extent of women's participation in development, and the conditions under which such participation takes place, have been key concerns for Governments, the United Nations and other international and regional bodies, and the women's movement over the past decade. The Expert Group Meeting noted, however, that approaches to ensuring women's participation has often concentrated on increasing women's representation and had overlooked structural constraints, such as unequal gender relations, that limited women's potential to influence decisions and bring about change.

10. The Platform for Action made recommendations for enhancing women's participation in development through specific interventions on education, health and employment. These three areas are also key development priorities in the framework of the Millennium Development Goals, with its focus on eradicating extreme poverty and hunger, achieving universal primary education, promoting gender equality and empowerment of women, reducing child mortality, improving maternal health, combating HIV/AIDS, malaria and other diseases, ensuring environmental sustainability and developing a global partnership for development. While a specific Millennium Development Goal on promoting gender equality and empowerment of women is a significant achievement, enhancing women's participation in development requires that gender perspectives be fully incorporated into the implementation of all Millennium Development Goals.

11. The 2005 World Summit resolved, inter alia, to eliminate gender inequalities *in primary and secondary education by the earliest possible date and at all*

educational levels by 2015; ensure equal access to reproductive health; promote women's equal access to labour markets, sustainable employment and adequate labour protection; and ensure equal access of women to productive assets and resources, including land, credit and technology.

12. Improved access to education and health services, and opportunities for work outside the household, are critical conditions for women's full participation in development. Post-primary education has strong positive effects on the health status of women and girls, including in relation to fertility and mortality.[12] Education and health are a necessary prerequisite for women's integration in the labour market. The higher the level of education attained, the more likely women are to have access to formal and better-paid employment, and the potential to make autonomous economic choices.[13] Conversely, increased economic empowerment through work is an entry point for access to further education and training, and higher-quality health services for women and their children. Education and health are also important sectors of employment for women.

13. The interlinkages among education, health and work can also result in multiple discrimination and inequalities. For example, lack of education and income continues to constrain women's ability to seek health care. HIV/AIDS increases the work burdens of women and girls, who provide up to 90 per cent of home-based HIV/AIDS care worldwide. It also affects girls' school attendance, leading to a higher level of dropouts, and has decimated the female labour force in sub-Saharan Africa, including in the public sector.[14] At the same time, access to education does not automatically translate into decent work and well-paid employment, if gender discrimination in the workplace persists through occupational segregation or unequal pay for work of equal value. Women's economic empowerment does not necessarily lead to enhanced decision-making in households and local communities. With unchanged divisions of roles and responsibilities within households, increased levels of paid employment for women may lead to double workloads.

## III. Core elements of an enabling environment

14. The Platform for Action specifically noted the need for an enabling environment in relation to several critical areas of concern, including women and poverty, women and the economy, and the girl child, as well as in relation to institutional mechanisms and the mobilization of resources (see paras. 59 (g), 175 (c), 274 (a) and 350). The strategic objectives and specific actions under all 12 critical areas of concern contribute to building an enabling environment for gender equality and the advancement of women. The Political Declaration adopted by the General Assembly at its twenty-third special session explicitly reaffirmed Member States' commitment to strengthening and safeguarding a national and international enabling environment, and to this end pledged to undertake further action to ensure full and accelerated implementation, inter alia, through the promotion and protection of all human rights and fundamental freedoms, mainstreaming a gender perspective into all policies and programmes and promoting full participation and empowerment of women and enhanced international cooperation (see Assembly resolution S-23/2, annex, para. 8).

15. An enabling environment would create the conditions necessary to eliminate inequality and discrimination against women and increase their access to decision-

making and control over resources such as land and economic assets, including through fully recognizing their contributions to public and political life, and their role as actors in the economy. It would include, inter alia, the development of policies and mechanisms with time-bound and measurable targets for implementation; legal and regulatory frameworks; gender-sensitive institutional frameworks; allocation of resources; and promotion of processes of sociocultural change.

16. The elements and dynamics of an enabling environment are context-specific. They are also influenced by factors such as, inter alia, the international political situation, including peace and security issues; the global and regional economic environment; the development of new technologies, for example, information and communication technologies (ICT); and environmental issues, such as natural disasters. Interventions are required at many different levels by a variety of actors. Change may be visible only over time; for example, the results of actions by Governments at national level through the adoption of policies, legal and regulatory frameworks may not be immediately felt at community and household levels and by individual women in their day-to-day lives. Explicit and sustained efforts are required to ensure full implementation of such frameworks. Mobilization for change in the enabling environment can also come from below, as evidenced in the dynamic role played by women's groups and networks at the local level over the past decade.

17. The outcome of the twenty-third special session of the General Assembly noted that reforms were essential to ensuring women's equal access to institutions and organizations, and that institutional and conceptual changes were a strategic and important aspect of creating an enabling environment (see Assembly resolution S-23/3, annex, para. 61). The primary importance of both formal and informal institutions in the creation of an enabling environment for gender equality and the advancement of women has also been highlighted in research on gender and development.[15] Formal institutional frameworks may comprise, for example, organizations and legislation, and informal institutions include sociocultural practices and value systems that govern relationships between individuals and groups. Formal and informal institutions define rights, control resource allocations, and assign roles and responsibilities to women and men in society. Such institutions can create, reflect and reproduce imbalances of power. Customary practices, for example, in relation to marriage and inheritance, and stereotypic attitudes and discriminatory behaviour may limit women's choices and opportunities in employment, education and training, and access to health services.

18. Health and education systems are core social institutions, which can contribute to an enabling environment through the delivery of indispensable public services, provided they function in a non-discriminatory manner. However, the access of many women and girls to health and education continues to be constrained, including by the lack of security and the risk of violence. As a result, they are unable to fully enjoy the benefits provided through these systems, which contributes directly to their experience of poverty.[16]

## IV. Challenges to the creation of an enabling environment

19. The uneven progress in implementing the international commitments on gender equality and empowerment of women, and the large gap that remains

between policy and practice,[17] highlight the importance of a more coherent, integrated approach to ensuring an enabling environment.

20. The 10-year review and appraisal of the implementation of the Platform for Action and the outcome of the twenty-third special session of the General Assembly revealed that Member States had taken positive steps to develop policies, adopt and review legislation and initiate programmes on gender equality and empowerment of women over the past decade. A number of factors at national level have limited, however, the effectiveness of these positive efforts, including a lack of coherence between overall national development policies and gender equality policies and strategies; continued underrepresentation of women in decision-making; insufficient protection and promotion of women's human rights; persistence of discriminatory sociocultural practices and attitudes; and violence against women. Other factors, such as globalization and armed conflict, have also created challenges to the achievement of an enabling environment for gender equality and empowerment of women, including in relation to education, health and employment.

21. Further challenges to the implementation of commitments to gender equality are related to institutional processes within organizations, such as a lack of political will and allocation of resources, lack of effective monitoring and accountability mechanisms, and insufficient partnerships and coordination.

22. A major challenge for the creation of an enabling environment is the lack of integration of policies and mechanisms for the promotion of gender equality and the empowerment of women into national development policy frameworks and programmes. Many excellent policies and mechanisms developed to specifically promote and protect women's human rights and facilitate gender mainstreaming in all sectors remain marginalized and have limited impact. As a result, gender perspectives are not systematically taken into account in critical policies and strategies, such as national poverty reduction strategies, including Poverty Reduction Strategy Papers (PRSPs), and national Millennium Development Goal strategies.

23. Gender analysis is not used systematically and effectively in planning processes, as called for in the Platform for Action. The Expert Group Meeting noted that policies and programmes, as well as development cooperation interventions, might have limited or even adverse effects if they were not based on gender analysis and did not take into account gender inequalities in capabilities, access to assets and opportunities, and agency and decision-making power.[18] For example, in areas where girls make a major contribution to agricultural work, agricultural intensification policies that are not based on gender analysis may counteract policies on universal primary education and have a negative impact on access of girls to education.

24. Inadequate monitoring and accountability mechanisms for gender mainstreaming are persistent institutional obstacles to enhancing the enabling environment for women's participation. More reliable, relevant and timely sex-disaggregated data and qualitative information are required for gender analysis of impacts and the identification of areas needing improvement. Indicators are needed to track changes in norms, values and attitudes over time.[19]

25. Despite a worldwide general trend towards democratization since 1995, and recognition of the fundamental right of women and men to participate in political

and public life, the 10-year review and appraisal of the implementation of the Beijing Declaration and Platform for Action revealed that the gap between de jure and de facto equality in decision-making remained wide. This constitutes a critical challenge to the enabling environment. Although, according to the latest data compiled by the Inter-Parliamentary Union (IPU),[20] women's participation in parliaments is now the highest it has ever been (16 per cent across all parliaments), progress in the representation of women in political decision-making has been slow and uneven. Only 14 countries have at least 30 per cent representation of women in parliament, which had been established as a target for 1995 (see Beijing Platform for Action, para. 182).

26. Women's presence in decision-making bodies does not automatically ensure attention to gender equality in political processes. An increase in the numerical representation of women has to be complemented with increased opportunities to influence decision-making and outcomes. The accountability of all political actors, men as well as women, with respect to commitments on gender equality and empowerment of women is critical for ensuring gender-sensitive policy outcomes.

27. Lack of sex-disaggregated data on women's participation in decision-making in other areas, such as the economy, academia, the judiciary and the media, hinders systematic monitoring of progress.[21] Improved data are also needed on the access of women to management positions in the areas of health, education and employment in both the public and private sectors.

28. Lack of or limited enjoyment by women of their human rights and fundamental freedoms constitutes an impediment to the creation of an enabling environment for gender equality and empowerment of women. Despite almost universal ratification of the Convention on the Elimination of All Forms of Discrimination against Women requiring States to ensure the practical realization of the principle of equality of women and men, discrimination against women in law and practice persists.[22] Furthermore, States have not yet fully taken into account their obligations under international human rights instruments in national development processes, including in efforts to achieve the Millennium Development Goals. The Millennium Project Task Force on Child Health and Maternal Health, for example, has noted that key human rights principles would need to be applied within the area of health to ensure due attention to entitlements, accountability, claims, participation and voice.[23]

29. As noted in the report of the Secretary-General on the 10-year review and appraisal of the implementation of the Platform for Action, attitudes to gender equality and empowerment of women have not changed as rapidly as policies and legal and institutional frameworks (E/CN.6/2005/2 and Corr.1, para. 81). Stereotypic attitudes and discriminatory practices remain persistent challenges and continue to undermine important gains, including in the fields of education, health and work. In many parts of the world, such attitudes and practices restrict women's and girls' mobility, property rights, participation in decision-making, and access to economic and other livelihood opportunities.

30. Unequal sharing of family responsibilities between women and men, for example, hinders the ability of women and girls to take advantage of primary, secondary and higher education and further education and training.[24] In some countries, early marriage and other customary practices perpetuate gender disparities in school enrolment and completion. Traditional harmful practices hinder

equitable access of women and girls to comprehensive and affordable quality primary health-care services, in particular reproductive health services. Obstacles such as inadequate family planning service provision, lack of responsiveness of service providers, and lack of education and information further hinder women's full access to health benefits. The lack of involvement of men and boys is an additional constraining factor. HIV/AIDS prevention efforts, for example, should take men's roles more fully into account in order to strengthen the ability of women and adolescent girls to negotiate consensual and safe sex.

31. Violence against women, which is a fundamental violation of women's human rights, remains pervasive in all parts of the world. Women experience violence throughout their life cycle, in both private and public spheres, and in many different forms and manifestations which range from domestic violence and harassment in schools to rape and sexual slavery in armed conflict.[25] Such forms of violence also impact negatively on women's and girls' enjoyment of human rights, including in the areas of health, work and education, and contribute to women's lower levels of education, skills and work opportunities.[26] Violence against women constitutes a major impediment to women's and girls' ability to make use of their capabilities, limiting their participation and agency in development, including in the achievement of the Millennium Development Goals.[27] It is therefore important to specifically address the linkages between violence against women and gender equality in the areas of education, health and work.

32. The links between violence, or fear of violence, and girls' and women's education should lead to more concerted and systematic preventive and remedial action. Parents cite violence, or fear of violence including sexual harassment by teachers, as key obstacles to sending girls to school. Similarly, violence in the home impacts negatively on the performance of girls in school as well as on women's educational achievements.

33. Violence against women is significantly correlated with a wide range of poor health outcomes. In addition to injury and fatality, these include manifestations of physical and mental illness and distress, pain, infection with the HIV virus and other sexually transmitted diseases. Violence against women also contributes to the overall burden of ill health and lack of well-being through its impact on women's physical and mental health, including sexual and reproductive health, as well as its impact on victims' families. The health sector, including all providers of health-related services, plays a critical role in the response to such violence, especially in identifying and providing assistance to victims of abuse.[28]

34. Estimates of the costs of violence against women include, beyond the personal loss of income to women, the broader economic effects of absenteeism, decreased labour-market participation and decreased productivity.

35. The Expert Group Meeting noted that globalization had presented a significant challenge to the creation of an enabling environment for gender equality and the advancement of women. Economic liberalization has had uneven impacts on women's participation in development processes (see the reports of the Secretary-General on the situation of women in rural areas (A/56/268 and A/58/167 and Add.1)). Benefits to women have included greater access to employment opportunities and access to ICT. However, decreased social protection and basic services in some areas have increased gender inequalities (see E/CN.6/2005/2 and Corr.1, para. 43).

36. While many countries have made progress in improving access to education and health services for women and girls, the restriction of public expenditures in social sectors and increasing privatization of education and health services have in other cases increased the poverty of women and girls and hindered their integration in development processes.[29] Market-oriented service provision and focus on cost-effectiveness may limit choices, lead to lower quality of infrastructure and services, and reduce poor women's access to services. Many low-income women with no health insurance, including those working in the informal sector, cannot afford privatized and costly health systems.[30]

37. In some countries global restructuring processes, trade liberalization and foreign direct investment (FDI) have generated a broad range of labour arrangements and increased women's participation in the economy, inter alia, through part-time and temporary work, and self-employment. Such employment tends, however, to be insecure and characterized by a lack of social protection, especially for women migrant workers.[31] While ICT has created new types of work that may potentially benefit women, such as outsourcing and home-based work, there is still a wide gap between women and men in access to and usage of ICT in many countries.

38. Globally, women are over-represented in employment that is part-time and there are persistent wage gaps between women and men.[32] Both vertical and horizontal occupational sex segregation exists in all parts of the world, inter alia, as a result of gender inequality in education, training and recruitment, as well as of sociocultural attitudes and practices. There are continuing inequalities in access to decision-making in the economy.[33] Increasing numbers of women work under precarious conditions in the informal, unregulated economy with limited or no protection of their health and safety. The unequal sharing of responsibilities between women and men in the household and care economy persists and creates additional work burdens for women.

39. The enabling environment for gender equality and empowerment of women is seriously constrained in countries experiencing or emerging from armed conflict. Over the past decade, the negative impact of armed conflict on women and girls has been extensively documented.[34] Women and girls have become prime targets of armed conflict and have disproportionately suffered its impact, particularly sexual violence. Women also suffer serious threats to their health as a result of scarcity of food supplies and economic resources, lack of access to land, and disruption of traditional support systems. Education and health infrastructures may be damaged or destroyed; access to education and health services is restricted for security reasons, such as increased violence against women; and female school enrolment may decrease owing to the increased responsibilities of women and girls for food security. Rates of HIV/AIDS infection increase, inter alia, owing to increased sexual assault.

# V. Opportunities and promising strategies

40. In the Declaration adopted by the Commission on the Status of Women at its forty-ninth session, Member States pledged further action to ensure the full and accelerated implementation of the Beijing Platform for Action. Measures for enhanced education, health and work for women were among the strategic priorities

for gender equality and empowerment of women identified by the 2005 World Summit (see General Assembly resolution 60/1, para. 58). The 10-year review and appraisal identified a number of critical opportunities and promising strategies to enhance women's participation in development.

41. The 2005 World Summit recognized the importance of gender mainstreaming as a tool for achieving gender equality and Member States undertook to actively promote the mainstreaming of a gender perspective in the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres. Over the past decade, many countries have further refined their policies on gender mainstreaming and provided specific guidance on implementation in different sector areas, including health, education and employment. Action plans with time-bound, measurable benchmarks and targets have been developed to facilitate increased implementation of gender mainstreaming. In some countries, use of gender analysis has been made mandatory in planning and review processes and regular reporting on progress is required.

42. There is, however, recognition that efforts and resources for gender mainstreaming have to be significantly enhanced. There is a need to increase understanding of the mainstreaming strategy and ways to ensure systematic and effective implementation. Capacity for gender mainstreaming must be considered required competence at all levels within organizations. There has been considerable development of methodologies and tools, including for capacity-building, to support the incorporation of gender perspectives in policies, strategies and programmes in a range of sectors. Greater efforts should be made to ensure more systematic and effective use of existing approaches, methodologies and tools and enhanced sharing of lessons learned and good practices.[35]

43. Efforts to implement gender mainstreaming have been undertaken mainly at the programme level. There is a need for a stronger focus on gender mainstreaming in policy formulation. More explicit leadership on gender mainstreaming could ensure that policy and programme development in all sectors is systematically based on gender analysis. The Expert Group Meeting noted that where information obtained through gender analysis was used effectively and systematically, it could lead to tangible results at both policy and programme levels. For example, a United Nations Development Programme (UNDP) review of national Millennium Development Goal reports found that all reports that had identified the factors leading to inequalities in girls' primary education also included explicit commitments to reducing the gender gap.[36]

44. Innovations on gender mainstreaming in budget processes should be more broadly disseminated. Over the past decade, there has been an increased awareness of the importance of resource allocations at different levels for the promotion of gender equality and empowerment of women. Many countries have undertaken initiatives to mainstream gender perspectives in budget processes in different sectors and a variety of tools and methodologies have been developed to support this work. Such initiatives aim to ensure that policy commitments on gender equality are aligned with resource allocations. Gender-responsive budget initiatives have, for example, pointed out the need to redirect spending within the education system so as to meet the needs of women[37] and have led to increased resource allocations to reproductive health.[38] Budget initiatives have also resulted in increased employment opportunities for women in infrastructure projects.[39]

45. Gender-sensitive budgets can increase resources for scaling up innovative and successful small-scale projects and investing in infrastructure in critical areas for women,[40] such as schools, health clinics, roads, water and sanitation. More-equitable access to credit is also critical for women's economic empowerment. Women farmers receive only a minor share of formal agricultural credit even in regions where they constitute the majority of producers, for example, in sub-Saharan Africa and Asia.[41] While specific credit programmes for women have been important for enhancing women's entrepreneurship, greater efforts are needed to ensure women's access to mainstream credit programmes.

46. Improving the participation of women in decision-making was one of the priorities endorsed by the 2005 World Summit. Women's representation in parliament is also an indicator for achieving Millennium Development Goal 3 on the promotion of gender equality and the empowerment of women. In many countries, positive action measures, such as quotas for women in elections, have resulted in increases in women's participation and these good-practice examples should be disseminated and replicated. In a number of countries, there has also been a significant increase in participation at local government levels over the past decade. Studies have shown that women's representation in local decision-making bodies has increased attention to schools, health care, housing and infrastructure.[42]

47. A further encouraging development is that a number of post-conflict countries appear among the top 30 countries with regard to women's participation in legislative bodies, with the level of representation of women legislators averaging between 25 and 30 per cent.[43] Many of these countries have recognized the importance of including women in their reconstruction processes and of their active participation in new democratic institutions. In Rwanda, women now hold almost 50 per cent of seats in the national parliament, currently the highest proportion of women in parliament in the world.[44] Concerted efforts have to be made to ensure an enabling environment for women's effective participation and positive impact on policy outcomes.

48. One important strategy for enhancing the enabling environment for gender equality would be to more directly and explicitly link the legal and policy frameworks for promoting gender equality. Greater advantage should be taken of the synergies between the Convention on the Elimination of All Forms of Discrimination against Women, on the one hand, and the Platform for Action, the outcome of the twenty-third special session of the General Assembly and the United Nations Millennium Declaration (see General Assembly resolution 55/2), on the other. The Committee on the Elimination of Discrimination against Women has emphasized that the full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. Strategies for achieving the Millennium Development Goals should therefore be based on States' obligations under the Convention, and should also specifically respond to the concluding comments of the Committee on the Elimination of Discrimination against Women. Similarly, implementation of the commitments undertaken by Member States under the critical areas of concern of the Platform for Action can directly support the achievement of the Millennium Development Goals at national level.

49. Law reform efforts to eliminate discriminatory laws and to revise laws that have a discriminatory impact also contribute to enhancing an enabling environment

for gender equality and empowerment of women. Use of temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25,[45] can accelerate implementation of the Convention and the achievement of substantive gender equality. Institutional support and capacity-building measures, for example, training of the judiciary on national-level implementation, as well as increasing means of redress, including through ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (General Assembly resolution 54/4, annex), should be pursued as priority strategies.

50. Discriminatory sociocultural norms and practices and stereotypic roles of women and men need to be addressed as a matter of priority so as to create an enabling environment. Alliances with the media and other opinion-makers have proved successful in facilitating change in societal attitudes towards women and promoting positive images of equality between men and women. Media campaigns have stressed, for example, the importance of education for girls and the elimination of domestic violence (see E/CN.6/2005/2 and Corr.1, para. 419). Working with community leaders is an important strategy for redressing gender power imbalances and entrenched ideas of women's roles, including through sensitization on the importance of women's participation in decision-making at community and household levels.

51. The involvement of men and boys as partners for gender equality is critical for women's enhanced participation in development. The principle of equality between women and men and girls and boys should be integral to socialization processes. Shared responsibility of women and men for families should be actively promoted to ensure women's improved access to education and employment opportunities. Further innovative measures are needed to increase men's involvement in promoting gender equality in the workplace, including in decision-making; to strengthen reproductive health programmes that strive for safe and consensual sexual relations and promote equal responsibility for the prevention of HIV/AIDS;[46] and to enhance the involvement of men and boys in combating violence against women and girls.

52. Education and training programmes and critical reviews of school curricula, textbooks and other information and communication materials are important means of challenging stereotypes or rigid models of masculinity and femininity and to providing alternatives to stereotypic male identities and relationships. Public information campaigns that have targeted young men and boys and, for example, underlined the need for men and boys to share household and family responsibilities, have also presented important opportunities. Resources for gender equality initiatives targeting men and boys must not, however, compromise equal opportunities and resources for women and girls.

53. A significant development noted in the 10-year review and appraisal of the implementation of the Platform for Action was the increased diversity in the mechanisms established at national level to promote and monitor attention to gender equality and empowerment of women, including — in addition to traditional national machineries such as women's ministries — gender equality commissions, ombudspersons offices and parliamentary networks and caucuses. A significant number of countries have established gender units or gender focal points in line ministries and other bodies to promote and monitor gender mainstreaming in a wide range of areas, such as agriculture, education, health, human rights, finance,

security, justice and trade. There has also been an increase in the number of offices and focal points established at municipal, district and provincial levels to address gender equality issues.

54. In many countries, national machineries have played a key role in promoting and facilitating legal reforms, development of monitoring mechanisms, data-collection and indicator development, capacity-building, and public awareness campaigns on gender equality and empowerment of women. They have established alliances with strategic partners, such as women's groups and networks and the private sector. The contribution of national machineries to the creation of an enabling environment could, however, be significantly enhanced. National machineries must be fully integrated into policymaking at all levels of government. In some countries, national machineries would require increased resources, authority and capacity to be able to systematically promote and support gender mainstreaming and initiate effective measures for the empowerment of women and girls. Increasing access to and capacity to utilize ICT systematically and effectively would offer a strategic opportunity for enhancing the impact of national machineries.

55. The role of civil society has been critical in the creation of an enabling environment over the past decade. Women's groups and networks have played a very strategic role in moving the global agenda on gender equality and advancement of women forward and strengthening implementation at national level. A great deal of the sustained attention and achievements at national level have been due to their advocacy and monitoring efforts. Women's organizations have contributed to increasing the recognition of the importance of gender equality for development in a wide range of areas, for example, financing for development, infrastructure and HIV/AIDS. They have increased attention to violence against women and girls worldwide through major public awareness initiatives and campaigned for women's rights in the field of education, health and employment.

56. Many Members States have recognized the critical role of non-governmental organizations in awareness-raising, advocacy, monitoring and, in some contexts, programme delivery. The increasing partnerships between Governments and civil society on the promotion of gender equality and women's empowerment constitute a positive development.

57. Innovative partnerships are also needed among national mechanisms for gender equality, other government bodies, including national statistical offices, the women's movement, the private sector, and regional and international organizations. National machineries and women's organizations have, for example, worked together to ensure that national Poverty Reduction Strategy Papers (PRSPs) pay increased attention to improving women's health and education.[47] Increased interaction between women's organizations and other civil society actors, such as social movements and environmental groups, can strengthen women's voices, provide access to new resources, and lead to strategic alliances in advocating for policy change. Enhanced partnerships with academic institutions would also provide strategic opportunities, particularly since the constraints on gender-sensitive policy formulation and programme implementation include lack of sex-disaggregated data and gender analysis.

58. The use of ICT is an important resource for the empowerment of women and girls, including through creating new economic opportunities. Women however,

have, significantly less access to ICT in many countries, and occupational segregation in the ICT sector hinders the contribution of ICT to an enabling environment for gender equality and empowerment of women. New strategies must focus on enhancing women's equal access to and effective use of ICT for development through training and infrastructure provision; increasing women's involvement in the production of content that is relevant for women's needs and priorities, for example, in relation to health, education and employment; ensuring women's equal participation in management and decision-making positions in ICT policymaking and regulatory bodies; and combating misuse of ICT for sexual exploitation.[48]

# VI. Conclusions and recommendations

59. **Enhancing the enabling environment for gender equality and empowerment of women requires systematic efforts to strengthen the capabilities of women and girls as measured by health and education status; to increase their access to assets and opportunities, for example, through employment; and to enhance their agency through representation and participation.**

60. **The creation of an enabling environment is both a political and a technical process. Critical factors include the development of policies and mechanisms with time-bound and measurable targets for implementation; the establishment of legal and regulatory frameworks and gender-sensitive institutional frameworks; sufficient allocation of resources; and promotion of sociocultural change processes.**

61. **Challenges to the creation of an enabling environment that need to be specifically addressed include the lack of coherence between national development policies and gender equality policies and strategies; the gap between policy and implementation; the underrepresentation of women in decision-making; insufficient protection and promotion of women's human rights; discriminatory sociocultural practices and attitudes; and persistent violence against women. Institutional challenges include a lack of political will and resources; inadequate implementation of gender mainstreaming; insufficient mechanisms for monitoring and accountability; and lack of coordination and strategic partnerships.**

62. **Full and accelerated implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly requires a comprehensive multisectoral approach, with emphasis on the areas of health, education and employment.**

63. **The Commission on the Status of Women may wish to recommend the following action by Governments, international organizations, including the United Nations, civil society and other relevant stakeholders:**

(a) **Incorporate gender perspectives into national development strategies for the implementation of internationally agreed development goals, including the Millennium Development Goals, through, inter alia, fully utilizing existing gender equality policies and strategies;**

(b) **Integrate gender perspectives, and explicit reflection of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, in all efforts aimed at the achievement of the Millennium Development Goals;**

(c) **Increase attention to gender perspectives in all national planning and reporting processes and mechanisms, including Poverty Reduction Strategy Papers (PRSPs) and Millennium Development Goals reports;**

(d) **Increase understanding of and capacity to utilize gender mainstreaming, including by, inter alia, requiring the use of gender analysis as the basis for all policy and programme development;**

(e) **Disseminate and replicate innovations in gender mainstreaming approaches, such as gender-responsive budget processes and mandatory gender analysis in planning and review processes, in particular in the areas of health, education and employment;**

(f) **Develop effective monitoring mechanisms, including through the collection, compilation and use of sex-disaggregated data and gender statistics, and the development and use of appropriate indicators, including process indicators;**

(g) **Develop strategies to increase women's participation in decision-making in all areas, including in political bodies, economic institutions, academia and the media, and regularly collect and compile data to monitor progress;**

(h) **In the implementation of the obligations under the Convention on the Elimination of All Forms of Discrimination against Women, utilize fully the Beijing Declaration and Platform for Action which reinforce the provisions of the Convention;**

(i) **Integrate targeted measures to eliminate violence against women in all national development policies and strategies, in particular in the areas of education, health and work;**

(j) **Take measures to ensure the elimination of gender stereotypes and discriminatory attitudes and practices, including in the delivery of health services and education programmes and in the workplace;**

(k) **Develop strategies to increase the involvement of men and boys in promoting gender equality and empowerment of women, through, inter alia, promoting responsible sexual relations and the sharing of parental leave and care and household work;**

(l) **Ensure adequate funding for gender-sensitive development policies and programmes and for national mechanisms for gender equality, through national, regional and international resource mobilization and gender-responsive budget processes in all sector areas;**

(m) **Encourage enhanced coordination and collaboration among all national mechanisms for gender equality, including, inter alia, women's ministries, gender equality commissions, ombudspersons and gender focal points in line ministries, as well as with women's groups and networks;**

**(n) Increase women's equal access to and effective use of ICT through training and infrastructure provision; involvement in the production of content; and participation in management and decision-making positions in ICT regulatory or policymaking bodies.**

**64. In the areas of education, health and employment, the Commission on the Status of Women may wish to recommend the following action by Governments, international organizations, including the United Nations, civil society and other relevant stakeholders:**

## Education

**(a) Require all educational institutions to put in place policies aimed at preventing violence and harassment of girls and women, which include complaints mechanisms, and monitor the effectiveness of such policies;**

**(b) Provide training for teachers on gender stereotypes, and work with communities to address the underlying causes of inequality and discrimination;**

**(c) Eliminate gender bias in curricula, methodologies and teaching practice that perpetuate gender inequalities;**

**(d) Develop specific curricula and materials on gender equality for both boys and girls at all levels of education;**

**(e) Increase the access of girls and women to education and training on science and technology, including on ICT;**

## Health

**(f) Incorporate gender perspectives and attention to women's specific health needs and priorities, including sexual and reproductive health, in health sector reforms;**

**(g) Develop a comprehensive health sector response to the various impacts of violence against women, which addresses, among other challenges, the reluctance of many abused women to seek assistance;**

**(h) Use the potential of the reproductive health services as entry points for identifying women in abusive relationships and for delivering referral and support services;**

**(i) Ensure that health education addresses women's needs and priorities throughout the life cycle, including sexual and reproductive health;**

**(j) Develop strategies to increase consultation with and involvement of women, including through national mechanisms for gender equality and women's groups and networks, in the planning, implementation and monitoring of health policies and programmes, so as to ensure increased attention to the health priorities and needs of women across the life cycle, in particular in relation to sexual and reproductive health;**

## Work

(k) **Initiate or strengthen existing measures to promote work-life balance for both women and men;**

(l) **Provide incentives for innovative measures at the workplace to achieve gender equality, for example, promoting positive action, provisions for parental leave for women and men, childcare facilities and gender-responsive pension schemes;**

(m) **Eliminate occupational segregation and gender wage gaps, including by increasing opportunities for women and girls for work in non-traditional sectors, inter alia, through technical education and vocational training;**

(n) **Develop or strengthen strategies to enhance women's participation in managerial positions and collect data on a regular basis to monitor progress;**

(o) **Improve and diversify opportunities for women entrepreneurs, including through increased access to education and training, information, credit and ICT.**

*Notes*

[1] Adopted by the Economic and Social Council in its resolution 2001/4.

[2] Report of the Expert Group Meeting: Enhancing participation of women in development through an enabling environment for achieving gender equality and the advancement of women, Bangkok, 8-11 November 2005 (available from http://www.un.org/womenwatch/daw/egm/enabling-environment2005/index.html).

[3] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I, para. 13.

[4] Ibid., para. 19.

[5] Ibid., annex II, para. 10.

[6] General Assembly resolution S-23/2, annex, para. 8.

[7] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* (E/2005/27), chap. I, sect. A, para. 1.

[8] See General Assembly resolution 60/1, para. 12.

[9] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[10] General recommendation 24, para. 31 (a) (see *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 38* (A/54/38/Rev.1), part one, chap. I, sect. A).

[11] United Nations Millennium Project Task Force on Education and Gender Equality, *Taking Action: Achieving Gender Equality and Empowering Women* (London, Earthscan, 2005), p. 3.

[12] Ibid., p. 37 ff.

[13] E/CN.6/2005/2 and Corr.1, para. 149.

[14] International Labour Organization (ILO), "Women, girls, HIV/AIDS and the world of work", ILO AIDS Brief, December 2004, p. 4.

[15] See, for example, J. Jütting and C. Morrison, "Changing social institutions to improve the status of women in developing countries", Organization for Economic Cooperation and Development (OECD) Policy Brief, No. 27, 2005.

[16] Millennium Project Task Force on Child Health and Maternal Health, *Who's Got the Power? Transforming Health Systems for Women and Children* (London, Earthscan, 2005), p. 95 ff.

[17] E/CN.6/2005/2 and Corr.1, paras. 77-81.

[18] Cf. C. Pinder, "Evaluation of DFID development assistance: gender equality and women's empowerment, phase II thematic evaluation: enabling environment for growth and investment", Department for International Development Working Paper 10, February 2005.

[19] Jütting and Morrison, loc. cit., p. 6.

[20] Inter-Parliamentary Union (IPU), "Women in politics: 1945-2005", information kit, Geneva. See also "Map of Women in Politics: 2005", prepared as a collaboration between IPU and the Division for the Advancement of Women; and IPU, "The participation of women and men in decision-making: the parliamentary dimension", background paper prepared by IPU for the Expert Group Meeting on "Equal participation of women and men in decision-making processes, with particular emphasis on political participation and leadership" (EGM/EPWD/2005/BP.1), Addis Ababa, 24-27 October 2005.

[21] Women's participation in decision-making is dealt with more comprehensively in the report of the Secretary-General to the Commission at its fiftieth session entitled "Equal participation of women and men in decision-making processes at all levels" (E/CN.6/2006/13).

[22] See also the statement of the Committee to commemorate the twenty-fifth anniversary of the adoption of the Convention (CEDAW/C/2005/I/4, annex III).

[23] *Who's Got the Power* ..., p. 33 ff.

[24] *Taking Action* ..., p. 4 ff.

[25] Ibid., p. 111 ff.

[26] See General recommendation 19 of the Committee on the Elimination of Discrimination against Women (*Official Records of the General Assembly, Forty-seventh Session, Supplement No. 38* (A/47/38), chap. I).

[27] Prior to the 2005 World Summit, the Division for the Advancement of Women organized a consultation on "Galvanizing action to combat violence against women", at United Nations Headquarters on 6 and 7 September 2005, to highlight the linkages between violence against women and achievement of the Millennium Development Goals and to identify key issues to be addressed in the Secretary-General's in-depth study on violence against women (information is available from http://www.un.org/womenwatch/daw/vaw/consultation_galvanizing.htm).

[28] World Health Organization, *WHO Multi-country Study on Women's Health and Domestic Violence against Women. Initial Results on Prevalence, Health Outcomes, and Women's Responses* (Geneva, WHO, 2005).

[29] *Who's Got the Power* ..., p. 39 ff.

[30] Ibid., p. 107 ff.

[31] United Nations Research Institute for Social Development (UNRISD), *Gender Equality: Striving for Justice in an Unequal World* (United Nations publication, Sales No. E.05.III.Y.1), p. 67 ff.

[32] United Nations Development Fund for Women (UNIFEM), *Progress of the World's Women 2005: Women, Work and Poverty* (New York, 2005), p. 6 ff.

[33] ILO, *Breaking through the Glass Ceiling: Women in Management* (Geneva, ILO, 2004).

[34] See Security Council resolution 1325 (2000); and *Women, Peace and Security* (United Nations publication Sales No. E.03.IV.1).

[35] The report of the Secretary-General entitled "Measures taken and progress achieved in the follow-up to and implementation of the Fourth World Conference on Women and the twenty-third special session of the General Assembly: review of progress made in mainstreaming a gender perspective in the development, implementation and evaluation of national policies and

programmes" (E/CN.6/2006/2) provides illustrative examples of mainstreaming gender perspectives into areas of education, health, work and decision-making.

[16] UNDP, *En Route to Equality: A Gender Review of National MDG Reports* (New York, UNDP, 2005), p. 16.

[17] See D. Budlender, "The South African Women's Budget Initiative" (New York, UNDP, 1998).

[18] See, for example, for the United Republic of Tanzania, M. Fleshman, "Gender budgets seek more equity", *Africa Recovery*, vol. 16, No. 1 (April 2002), p. 4.

[19] UNIFEM, "Gender responsive budgets: programme results (2001-2004)" (New York, UNIFEM, 2005), p. 4.

[20] *Taking Action* ..., p. 104 ff.

[21] *Gender Equality: Striving for Justice* ..., p.105.

[22] *Taking Action* ..., p. 105 ff.

[23] See IPU, "Women in politics ..."; and "The participation of women and men in decision-making ...".

[24] IPU, "Women in politics ...".

[25] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 38* (A/59/38), part one, annex I.

[26] UNFPA, *It Takes 2: Partnering with Men in Reproductive and Sexual Health* (New York, UNFPA, 2003), pp. 24-28.

[27] *Taking Action* ..., p. 139 ff.

[28] Division for the Advancement of Women, "Women 2000 and beyond: gender equality and empowerment of women through ICT", September 2005.

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**Commission on the Status of Women**
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Item 3 (c) of the provisional agenda*
**Implementation of strategic objectives and action in critical areas of concern and further actions and initiatives**

## Equal participation of women and men in decision-making processes at all levels

### Report of the Secretary-General

*Summary*

The present report is prepared in accordance with the multi-year programme of work of the Commission on the Status of Women for 2002-2006, which identified "Equal participation of women and men in decision-making processes at all levels" as a priority theme for the fiftieth session in 2006. The report analyses the current situation of women in decision-making processes and the conditions required for achieving their successful political participation and leadership. It concludes with recommendations for consideration by the Commission.

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# I. Introduction

1. At its forty-fifth session, in March 2001, the Commission on the Status of Women adopted a multi-year programme of work identifying priority themes for 2002-2006, including the theme of "Equal participation of women and men in decision-making processes at all levels", to be considered at the Commission's fiftieth session. The present report is prepared in response to that mandate. In its resolution 58/142, the General Assembly requested the Secretary-General to include information about women in politics at all levels in his thematic report to the fiftieth session of the Commission and to encourage Governments to provide data on the subject. In response to the resolution, a note verbale was sent to the Member States seeking information on women's political participation in their respective countries.[1]

2. In order to contribute to a further understanding of the issue and to assist the Commission in its deliberations, the Division for the Advancement of Women of the Department of Economic and Social Affairs, in collaboration with the Economic Commission for Africa and the Inter-Parliamentary Union (IPU), organized an expert group meeting on the equal participation of women and men in decision-making processes, with particular emphasis on political participation and leadership. The expert group meeting was held in Addis Ababa from 24 to 27 October 2005.

3. The purpose of the present report is to provide an analysis of the current situation of women in decision-making processes, with emphasis on their political participation and leadership at the international, national and local levels, as well as to propose policy recommendations for achieving equal participation of women and men in decision-making processes, based on the identification of the most promising practices and lessons learned to date.

# II. Background

## A. International policy framework

4. The Fourth World Conference on Women, held in Beijing in 1995, drew attention to the persisting inequality between men and women in decision-making. The Beijing Platform for Action[2] reaffirmed that women's persistent exclusion from decision-making raised a number of concerns regarding the achievement of democratic transformations and women's empowerment. The absence of women from political decision-making undermines democracy, which assumes that the right to vote and to be elected is to be equally applied to all citizens, women and men alike.

5. The Platform for Action emphasized that "women's equal participation in decision-making is not only a demand for simple justice or democracy but can also be seen as a necessary condition for women's interests to be taken into account. Without the active participation of women and the incorporation of women's perspective at all levels of decision-making, the goals of equality, development and peace cannot be achieved".[2]

6. The Platform for Action defined two strategic objectives in its critical area of concern on women in power and decision-making:

(a) Take measures to ensure women's equal access to and full participation in power structures and decision-making;

(b) Increase women's capacity to participate in decision-making and leadership.

7. The Platform for Action recommended the achievement of gender-balanced composition in governmental bodies and committees, as well as in public administration and in judiciary bodies, including through setting specific targets and, if necessary, the establishment of a positive action policy; the integration of women into elective positions in political parties; the promotion and protection of women's political rights; and the reconciliation of work and family responsibilities for women and men alike. The Platform for Action further recommended the organization of leadership and gender-awareness training; the development of transparent criteria for decision-making positions; and the creation of a system of mentoring.

8. To accelerate the implementation of action in those areas, the Commission on the Status of Women, at its forty-first session, in 1997, adopted agreed conclusions 1997/2, which emphasized that attaining the goal of equal participation of women and men in decision-making was important for strengthening democracy and achieving the goals of sustainable development. The Commission reaffirmed the need to identify and implement measures that would redress the underrepresentation of women in decision-making, including through the elimination of discriminatory practices and the introduction of positive action programmes.

9. Article 7 of the Convention on the Elimination of All Forms of Discrimination against Women calls upon State parties to take all appropriate measures to eliminate discrimination against women in the political and public life of the country. In 1997, the Committee on the Elimination of Discrimination against Women adopted general recommendation 23 regarding the participation of women in political and public life. It emphasized that State parties should ensure that their constitutions and legislation comply with the principles of the Convention and that they take all necessary measures, including temporary special measures, to achieve the equal representation of women in political and public life.

10. In its resolution 1325 (2000) on women, peace and security, the Security Council also reaffirmed the important role of women in the prevention and resolution of conflicts and in peacebuilding, and stressed the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making. In October 2005, on the occasion of the fifth anniversary of the adoption of the resolution, the United Nations systemwide action plan for the implementation of the resolution outlined concrete steps to, inter alia, ensure the full participation of women in decision-making, in all areas of conflict prevention, peacebuilding, peacekeeping and post-conflict reconstruction, including development of constitutions, legislation and administration.

11. In its resolution 58/142, the General Assembly urged Governments, the United Nations system, non-governmental organizations and other actors to develop a comprehensive set of policies and programmes to increase women's participation in decision-making, including in conflict resolution and peace processes, by addressing the obstacles women face in their endeavour to participate. The resolution also

addressed the importance of supporting and generating political will and invited Governments to demonstrate a serious commitment to the promotion of the advancement of women and the goals of gender equality through the organization of awareness-raising campaigns.

12. The 10-year review and appraisal of the implementation of the Beijing Platform for Action was carried out at the forty-ninth session of the Commission on the Status of Women held in 2005. Member States reported on the increasing participation of women in decision-making at different levels, inter alia, through the introduction of various measures, including positive action (see E/CN.6/2005/2 and Corr.1). In the Declaration[3] adopted by the Commission, Member States welcomed the progress made, stressed that challenges and obstacles remained and pledged to undertake further action to enhance the full and accelerated implementation.

13. The proportion of seats held by women in national parliaments was established, in Goal 3 of the Millennium Development Goals (see A/58/323), as one of the four indicators for the promotion of gender equality and the empowerment of women. During the 2005 World Summit held at Headquarters in September 2005, Member States reaffirmed their commitment to the equal participation of women and men in decision-making. Member States resolved to promote the increased representation of women in Government decision-making bodies, including through ensuring their equal opportunity to participate fully in the political process.

## B. Conceptual issues regarding women in decision-making

14. The expert group meeting highlighted the need for a distinction between three interrelated concepts: participation, representation and leadership. Participation refers to the act of taking part in politics, including through discussion and debates, lobbying and activism in formal and informal ways, so as to formulate and influence socio-economic and political agendas. Representation is a process by which various actors in decision-making arenas and key social forums in democratic societies convey political agendas on behalf of different constituencies, including political parties, social movements and groups. Leadership refers to the ability to articulate political agendas and translate them into policies and actions.

15. Engagement in decision-making takes place in a variety of contexts, including in social movements, non-governmental organizations, civil society groups, political parties, trade unions and business organizations, as well as in elected public bodies, such as parliaments, state and local governments and global social and economic institutions.

16. Women's increased presence in decision-making bodies does not automatically ensure attention to gender equality in political processes. An increase in the numerical representation of women has to be complemented with increased substantive representation or the possibility of influencing political decision-making. In addition, the accountability of all political actors, men as well as women, to commitments on gender equality and empowerment of women is critical for ensuring gender-sensitive outcomes through gender mainstreaming.[4]

17. The political and economic empowerment of women is closely interlinked. Increasing women's access to positions of power can influence policies and strategies for enhancing women's economic opportunities, and the enhancement of

women's economic status can provide better conditions for accessing and effectively participating in decision-making institutions. A deeper understanding of the barriers to women's equal access to employment and productive resources, including capital, is also necessary for creating an enabling environment for the empowerment of women. Women's economic independence is crucial for their exercise of influence on decisions that affect their lives and those of their families.

# III. Current trends in women's participation in political decision-making

18. Data on women's participation in decision-making processes at all levels over the past decade has been collected and compiled by IPU and other international and regional organizations (see tables 1 and 2). Information on women's participation was also provided by Governments in their responses to the questionnaire for the 10-year review and appraisal of the Beijing Platform for Action, and to the note verbale, in compliance with General Assembly resolution 58/142.

Table 1
**Women in decision-making bodies, 1995 and 2005**

| | *1995* | | | *2005* | | |
|---|---|---|---|---|---|---|
| *Position* | *Number of women* | *Total number* | *Percentage of women* | *Number of women* | *Total number* | *Percentage of women* |
| Heads of State or Government | 12 | 187 | 6.4 | 8 | 191 | 4.2 |
| Presiding officers of parliament | 24 | 228 | 10.5 | 21 | 254 | 8.3 |
| Parliamentarians | — | — | 11.3 | — | — | 15.7 (Jan)<br>16.0 (Sept.) |
| Ministerial positions | — | 187 | 6.8 (in 1996)[a] | 858 | 183 | 14.3 |

*Source: Inter-Parliamentary Union, Women in Politics: 1945-2005, Information kit* (2005).

[a] Data compiled by the Division for the Advancement of Women. (It is important to note, however, that the data is based on different datasets and is therefore not directly comparable.)

## A. Women in parliament

### 1. Global averages

19. According to data collected by IPU, there has been steady progress in women's representation in parliament over the past decade. At the time of the First World Conference on Women held in Mexico, in 1975, women accounted for 10.9 per cent of members of parliament worldwide. In 1995, the number of women in lower houses of parliament increased to 11.6 per cent and reached 13.4 in 2000. The highest representation of women was in the parliament of Sweden (40.4 per cent).

**Table 2**
**Women in parliament 1945-2005**

| | *1945* | *1955* | *1965* | *1975* | *1985* | *1995* | *2000* | *2005* |
|---|---|---|---|---|---|---|---|---|
| Number of parliaments | 26 | 61 | 94 | 115 | 136 | 176 | 177 | 187 |
| Percentage of women representatives (lower house or unicameral) | 3.0 | 7.5 | 8.1 | 10.9 | 12.0 | 11.6 | 13.4 | 16.2 |
| Percentage of women representatives (upper house) | 2.2 | 7.7 | 9.3 | 10.5 | 12.7 | 9.4 | 10.7 | 14.8 |

*Source*: *Inter-Parliamentary Union, Women in Politics: 1945-2005, Information kit* (2005).

20. According to the latest data compiled by IPU in October 2005, women's participation in parliaments is now the highest it has ever been. Women comprise 16.2 per cent of the representatives in lower or single houses of parliament and 14.8 per cent in upper houses, or an average of 16.0 per cent across all parliaments.

21. One encouraging development, according to IPU data, is that a number of post-conflict countries are listed among the top 30 countries with regard to women's participation in legislative bodies, averaging between 25 and 30 per cent of women legislators. Many of these countries have recognized the importance of including women in their reconstruction processes and the importance of their participation in new democratic institutions. In 2003, Rwanda became the top-ranked parliament, with representation by women comprising 48.8 per cent.

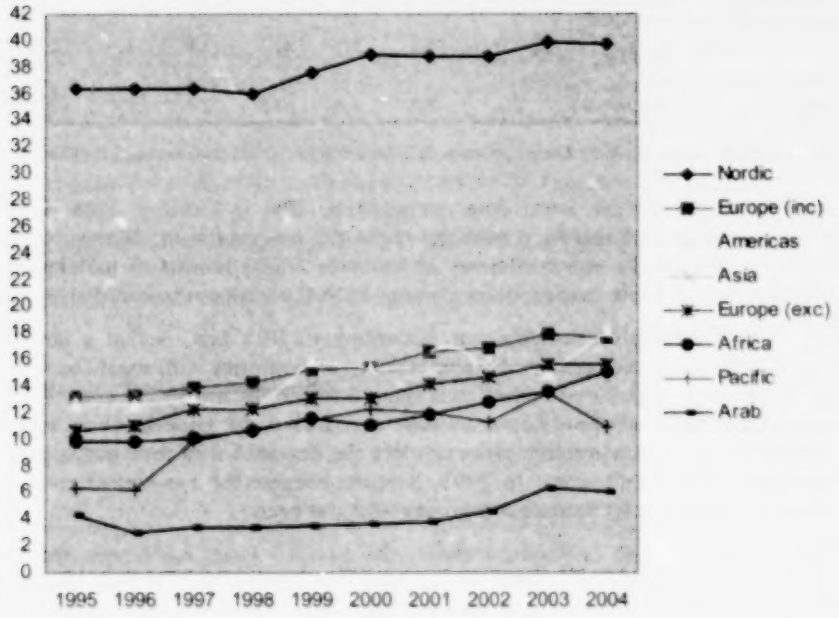
22. Compared with previous decades, the past 10 years have seen the fastest growth in the number of women in parliament. According to IPU data, the number of parliaments with 30 per cent representation of women has increased fourfold. In 1995, women constituted over 30 per cent of the legislature in only four countries, whereas today 20 parliaments have reached the target of 30 per cent women representatives, which is considered to constitute a critical mass of women necessary to bring about real changes in parliament.[2] The concept of building a critical mass of women leaders has proven to be an effective mobilizing tool. A critical mass of 30 per cent should not, however, be used as a ceiling but rather as a minimum standard.

23. According to a background paper entitled "The participation of women and men in decision-making: the parliamentary dimension", prepared by IPU for the expert group meeting, the number of parliaments worldwide in which women representatives constitute less than 10 per cent has decreased significantly from 63 per cent in 1995 to 37 per cent today. As of 30 September 2005, a total of eight countries had no women in their national parliaments: Micronesia (Federated States of), Nauru, Palau, Saint Kitts and Nevis, Saudi Arabia, Solomon Islands, Tuvalu and United Arab Emirates. While Bahrain has no women in its lower house, six women have been appointed to the upper house.

24. Overall, progress, while steady, has been far too slow. The Inter-Parliamentary Union estimated that if current incremental rates continue, an average of 30 per cent women in parliament would not be reached until 2025 and parity would not be achieved worldwide until 2040.

## 2. Regional differences

Table 3
**Women in parliament by region, 1995-2005**




*Source: Inter-Parliamentary Union, Women in Politics: 1945-2005, Information kit* (2005).

25. Table 3, above, provides information on women's representation in parliament at the regional level. Since 1995, the Nordic countries, including Denmark, Finland, Iceland, Norway and Sweden, have maintained the highest representation of women, with averages consistently over 38 per cent. In October 2005, the Nordic countries reached an average of 40 per cent representation of women in parliament for the first time.

26. Table 3 also indicates that women remain underrepresented in the Arab countries, where today the regional average in lower houses is 8.2 per cent. While that percentage is half of the global average, it is, however, twice the percentage in the region eight years ago, when the average representation for women was less than 4 per cent. Much of this progress is attributable to the implementation of different types of quotas in the region, including in Djibouti, Jordan, Iraq, Morocco and Tunisia.

27. The Inter-Parliamentary Union data also indicate that women remain underrepresented in the parliaments of the Pacific island countries. The average representation of women in parliament for the Pacific region (excluding Australia and New Zealand, where women's representation stands at 24.7 per cent and 32.2 per cent, respectively) is 3.2 per cent.

28. The most significant increases are found in Africa and Latin America, where on average there has been a gain of more than five percentage points in the past 10 years. Research has shown that, for the most part, the increase in these regions can also be attributed to the adoption of quotas for women.[5]

### 3. Developments at the national level

29. Important elections have been held recently in post-conflict States. According to IPU data, in the Iraqi elections for a transitional Assembly in January 2005, 31.5 per cent of parliamentarians were women. This was owed in large part to the adoption of candidate quotas by the interim administration in Iraq in 2004, requiring political parties to nominate at least 30 per cent women on candidate lists. According to an IPU abstract, the mechanism of reserved seats for women was implemented in the 2005 elections in Afghanistan.

30. According to the above-mentioned IPU background paper on women and men in decision-making, in May 2005, Kuwaiti women gained full political rights when the Kuwaiti Parliament granted them the right to vote and stand for elections. In Bangladesh, the negative trend of decreased women's participation in parliament was reversed in 2005. At present, women constitute almost 13 per cent of the members of parliament in Bangladesh.

31. The following information was provided by the Member States concerned in response to the note verbale: in Belarus, between 2000 and 2001, the number of women in the Chamber of Representatives increased from 4.5 per cent to 10.3 per cent; women constitute 20.2 per cent of all current members of the Estonian Parliament; since the 2004 elections, 4 out of 12 senators in Grenada are women, including the President of the Senate; and in Poland, after the 2001 elections, the percentage of women in the lower chamber of Parliament increased from 13 per cent to 20 per cent.

## B. Women in high-level positions of State and Government

32. Women's representation at top levels of State and Government has not increased to the same extent as representation in parliament. As shown in table 1, the number of elected women Heads of State and Government has actually decreased from 12 women in 1995 to 8 in 2005. There have been some recent positive developments, with two women having been elected to high-level positions, one as President in Liberia and the other as Chancellor in Germany.

33. In the past 10 years, the number of women holding positions at the ministerial level has increased (see table 1 above). In accordance with data on 187 countries compiled in 1996 by the Division for the Advancement of Women, the percentage of female ministers in 1996 was 6.8. Women ministers were concentrated in social areas (14 per cent), compared with legal (9.4 per cent), economic (4.1 per cent) and political affairs (3.4 per cent).

34. According to IPU data, in January 2005, 14.3 per cent of ministers in the executive branch of government were women. Sweden had the highest number of women ministers, at 52.4 per cent, followed by Spain, with 50 per cent. Women held 858 ministerial portfolios in 183 countries. Of the 858 ministerial posts, 83 women (9.7 per cent) held portfolios related to family, children, youth, disabled and the

elderly; 69 women (8.0 per cent) held ministerial portfolios related to social affairs; 63 women (7.3 per cent) held ministerial portfolios related to women's affairs; 63 women (7.3 per cent) held ministerial portfolios related to education; and 60 women (7 per cent) held ministerial portfolios related to the environment and energy. Women were least represented in portfolios related to parliamentary affairs, population and information. Only 12 women worldwide held defence portfolios, 20 women held finance and the budget portfolios, and 25 women were ministers for foreign affairs.

35. The IPU data indicated that positive changes had occurred in the Arab region. In 2001, Yemen had appointed a woman minister to head the Ministry of State for Human Rights, and by 2003, Qatar had named its first woman minister for education and appointed a woman as executive secretary of the Higher Council for Family Affairs. Oman had also appointed its first woman minister in 2003, with Kuwait and Lebanon following suit in 2005. As of 2004, 25 per cent of decision-making posts in the Government of Egypt were held by women.

36. Underrepresentation of women at high levels of decision-making in the area of foreign affairs is also reflected in the appointment of women as country representatives in international arenas. In 2005, of the 191 permanent representatives to the United Nations in New York, only 17 were women, the highest number ever.

## C. Women in local governments

37. In 2003, the International Union of Local Authorities launched the first-ever global database on women in local decision-making. According to the database, women presently constitute 20 per cent of the world's councillors (see http://www.iula.org). Information provided by Governments for the 10-year review and appraisal, and in response to the note verbale indicated, in general, an increase in women's participation at the local level.

38. The local elections in Jordan in 2003, for example, were record-setting and resulted in the election of five women candidates and the appointment of 94 women to village councils. In India, more than a million women are now present in different levels of local governance in both rural and urban local governmental bodies. In Iceland, the proportion of women in local government increased from 28.2 per cent in 1998 to 31.2 per cent in 2002. In the Seychelles, in 2002, women were well represented at the local government level and comprised 58 per cent of the district administrators participating at that level. Ethiopia also reported a 10 per cent increase of women in local government from 1995 to 2004. In 2005, women comprised 44 per cent of representatives in local councils in Belarus. Every election at the local level in Estonia since 1999 has seen an increase in the number of women; in the 2005 local elections, 39.3 per cent of all candidates were women, 28 per cent of whom were later elected. In the Republic of Korea, the percentage of women among elected city/provincial representatives increased from 36.4 per cent in 1998 to 67.1 per cent in 2002. In the 2001 Montevideo local elections, Uruguayan women won more than 40 per cent of the local administration seats.

39. According to data collected by the Economic and Social Commission for Asia and the Pacific, in 13 countries in South Asia and in the East Asia and Pacific subregions, the number of women in local governments ranged from a high of

33 per cent to a low of 2 per cent in 2001. In all cases, those figures were higher than the number of women in the central governments of the respective countries.[6]

## D. Participation of women in decision-making in other areas

40. Information and data on women's participation in judiciary bodies is insufficient. Internationally, a breakthrough was achieved with the establishment of the International Criminal Court and the appointment in 2003 of seven women judges out of a total of 18 judges. Based on the information provided by Governments for the 10-year review and appraisal, and in response to the note verbale, women constitute the majority of Supreme Court justices in Nicaragua and Honduras. In Egypt, the first woman judge was appointed in 2003, which set a precedent for the appointment of three other women judges. In Djibouti, women have the highest representation at the magistrate level, with one third of the country's 24 judges being women. In Chile, a milestone in the history of the country's judicial system was reached in 2001, with the appointment of two women, one as a judge to the Supreme Court and the other as a prosecutor. In Slovenia, in 2002, for the first time there was gender-balanced representation of men and women in the Constitutional Court; in addition, a woman held the position of President of the Court. In Belarus, in 2005, women represented 46.4 per cent of all judges and 28.9 per cent of members of the Supreme Court. Women currently hold 25 per cent of the posts at the national justice, federal justice and provincial tribunal in Argentina.

41. Data collection and dissemination is even less systematic in relation to economic decision-making. Women's participation in high-level economic decision-making remains low even in developed countries, despite educational advances for women in many parts of the world. According to research conducted by the International Labour Organization, women's overall share of managerial jobs in the period from 2000 to 2002 was between 20 and 40 per cent in 48 of the 63 countries for which data were available.[7] Very little comparable data exists on the representation of women in the private sector. In relation to women's participation on corporate boards, for example, Finland and Norway have implemented a quota to increase the number of women on the boards of directors of state and public limited companies to 40 per cent. In Norway, an estimated 600 companies are affected by that regulation. A similar initiative was carried out in Denmark, Estonia, Greece and Sweden through a project, "Women to the top", which aims to ensure at least 40 per cent representation by women on the boards of private-sector companies.

42. A concerted effort is required to more systematically collect, disseminate and utilize data on women's participation in all areas of decision-making in public life, including in academia, trade unions, international affairs and the media. Similarly, improved databases on women leaders are needed to provide a resource to those seeking women for leadership positions in national and international contexts.

# IV. Conditions for achieving successful participation of women in political decision-making

## A. Increasing numerical representation of women in decision-making

43. Electoral systems have a direct impact on women's participation in decision-making bodies. Research consistently shows that women's representation is highest in countries using proportional representation systems. Proportional representation systems motivate parties to balance their electoral tickets. Most majoritarian systems, on the other hand, allow for the nomination of only one candidate per district and parties tend to choose male candidates. Other aspects of electoral system design that influence women's representation include electoral thresholds (the minimum per cent of the vote required to obtain a seat in parliament), district magnitude (number of seats over the number of districts) and open versus closed lists in proportional representation systems (the ability of voters to influence the election of candidates within a party list).

44. Quotas, defined as a mandatory percentage of women candidates for public elections, have become the most widely used mechanism for facilitating the entry of women into representative politics. While in a few countries reserved seats for women existed as far back as the 1950s, the major push for quotas came in the 1990s, with the successful implementation of quotas in Argentina in 1991 and the Fourth World Conference on Women held in Beijing in 1995. The Beijing Platform for Action urged the use of positive actions to achieve equal representation of women and men in decision-making.[2] According to the International Institute for Democracy and Electoral Assistance and Stockholm University's global database of electoral quotas for women, nearly 100 countries had implemented quotas, previously used quotas or were considering implementing quotas. Of those, 10 countries had adopted reserved seat guarantees and 30 countries had adopted legislation mandating quotas. In addition, 130 political parties in 61 countries had voluntarily adopted quotas (see http://www.quotaproject.org).

45. Quotas have been introduced as a result of many different factors, including national debates about the ways in which marginalized groups can be compensated for historical exclusion from public life, internal pressure from national women's groups and external pressures from global institutions, such as the United Nations, and international women's movements.[8]

46. The most common types of quota systems (see http://www.quotaproject.org) include:

(a) Constitutional quotas for national parliaments: quota provisions that are mandated in the constitution of the country. Countries in which such quotas are used include Burkina Faso, Nepal, the Philippines and Uganda;

(b) Election law quotas or regulations for national parliaments: quotas that are provided for in the national legislation or regulations of the country. Countries in which legislative quotas are used include Belgium, Bosnia and Herzegovina, Serbia and Montenegro and the Sudan;

(c) Political party quotas for electoral candidates: rules or targets set by political parties to include a certain percentage of women as election candidates. The African National Congress in South Africa sets such quotas.

47. The type of quotas adopted varies according to the country's electoral system and other political factors. Quotas are likely to be more effective in the context of closed-list proportional systems than in open-list proportional systems. In proportional representation systems, quotas are most effective when there is a high district to party magnitude or where there is a placement mandate specifying which positions women must hold on a party list. For example, a requirement that specifies women are to hold one of the first three positions or two of the first six positions, etc., will be more effective than a requirement that women hold one third of the positions on the list. Effective sanction mechanisms for non-compliance are also necessary. For example, only after the electoral tribunal in Argentina ruled that any party failing to uphold the requirements of the law would have their party removed from all ballots, did the parties begin to comply.[9] In majoritarian systems, the most common type of quotas are reserved seats. In such systems, directly elected representatives have greater legitimacy and independence than appointed representatives.

48. Specific circumstances in political processes can provide opportunities for the introduction of quotas, such as in countries undergoing transition and constitutional and legal reform. It is increasingly common for quotas to be considered as a means of securing women's representation in post-conflict States. In these contexts, quotas have taken varying forms, ranging from voluntary party quotas adopted by the ruling parties in Mozambique and South Africa, to reserved seats and constitutional quotas, most recently in Afghanistan, Burundi, Iraq, and Rwanda.

49. Political parties, as the major gatekeepers in determining candidates for elective office, play a critical role in advancing or impeding women's participation in decision-making bodies. The structure, organization and internal culture of political parties determine their likelihood of promoting women candidates. For instance, a party that has poorly defined internal procedures and in which decision-making is dominated by a cadre of party elites, can disadvantage women.

50. At the expert group meeting, it was noted that in some contexts political parties tend to value women candidates for the purpose of mobilizing women voters rather than because women's participation will bring specific knowledge and expertise or will increase attention to gender perspectives in the political agenda of the party. The potential of women to become political leaders often remains unacknowledged. In addition, the pools from which political parties search for candidates tend to be male-dominated, such as those of trade union leaders and local councillors. Political parties should develop incentives to encourage women's participation, such as by providing funding for election campaigns, supporting networks, providing training and skills development for women candidates and setting targets, for example, reserving a certain number of executive positions in the party for women.[10]

51. Institutional arrangements within political bodies, such as political parties or parliaments, are not gender-neutral and tend to favour men. Securing an election requires candidates to devote a significant amount of time to campaigning, which may involve travelling outside of their home areas for extended periods of time. In many contexts, this process disadvantages women, who are constrained by their

family responsibilities and cannot devote as much time to political activities as their male counterparts. In some cases, significant financial resources are also required. In addition, the environment of political institutions is not always conducive to women because sitting times in parliaments, meeting schedules of political parties and lack of childcare facilities often conflict with family obligations, which in many contexts are still mainly carried out by women.[11]

52. Women's movements are important stakeholders in the process of increasing women's participation in political decision-making. Women's groups lobby for equal representation and support women's candidacies. Within political parties, politicians with links to women's movements can put pressure on party leadership to pursue all possible measures towards women's equality in political representation.[8]

53. At the expert group meeting it was also emphasized that the socio-economic position of women in many societies negatively affects their participation in public life. Although women have entered the workforce in large numbers over the past decade, in many parts of the world they still tend to occupy lower echelons of occupational hierarchy than men. As a result, they earn less money and lack the skills and connections necessary to succeed in competitive fields, including politics. In particular at the local level, where participation in public office and community affairs is often on a voluntary basis, women have to balance responsibilities at work, at home and in the community. Most societies have not yet established the conditions which enable men and women with families to share these responsibilities.

54. The issue of women's self-esteem was also raised at the expert group meeting. Many women may perceive themselves as lacking the necessary skills to perform well in politics, which negatively affects their interest in competing for public office. They may hesitate to become involved in party politics and give preference to participating in social movements, which are more egalitarian and more goal-oriented than political parties and state institutions.

55. Training and leadership development are crucial to support women in developing the necessary political skills to successfully run for public office. Gender-sensitive training is also required for men to introduce them to gender equality issues and develop their commitment to promoting increased participation of women in decision-making, including through identifying practical ways to support women's candidacies for public office.

## B. Increasing substantive representation of women

56. The participation of women in decision-making processes involves not only the quantitative aspects of representation, but also increasing women's impact on policy formulation and implementation through explicitly advancing an agenda for gender equality and promoting the mainstreaming of gender perspectives into policy development across all sector areas. By effectively increasing the impact of women on public life at all levels, the potential for change towards gender equality and empowerment of women and a more democratic and just society is increased.

57. Three conditions that enhance women's effectiveness in decision-making processes and increase their impact on policymaking were identified at the expert group meeting:

(a) Identifying and working with critical actors and allies;

(b) Developing critical mechanisms/structures that strengthen women's political influence;

(c) Seizing critical junctures or moments where potential to influence the policymaking process is increased.

*Critical actors and allies*

58. Women need to identify critical actors and allies who can facilitate their access to resources and endorse and actively support a gender equality agenda, leading to gender-sensitive policy outcomes. Through networks at the local, national, regional or international levels, women can, for example, gain access to knowledge, expertise and information from a wide range of organizations and individuals, such as on good practices in policy development or innovative sources of funding. Networking is essential for mobilizing support of constituencies for initiatives to promote the gender equality agenda.[12] Women's networking also effectively supports the development of leadership skills. The power of alliance building and networking was illustrated in the important role of local, national and international women's groups and networks in influencing the preparation and outcome of the Fourth World Conference on Women in Beijing in 1995.

59. Women's political networking should include building strategic alliances with men. Men can play a crucial role in promoting gender equality in policy development. Building effective alliances with men will require addressing stereotypical attitudes, including through increased gender-sensitive education and training, in particular for men in decision-making positions. There should also be comprehensive efforts to enlist media support in promoting positive attitudes towards women's roles in decision-making.

*Critical mechanisms/structures*

60. The presence of women in top levels of the executive branch of Government is critical to ensure the introduction of gender-sensitive policies and resource allocations in all areas of societal development. However, women are underrepresented at this level and women ministers tend to be given such portfolios as education, health, social welfare or environment. Powerful ministries, such as foreign affairs, defence, finance, trade and industry, remain primarily the preserve of men. Legislative decision-making processes are typically mediated by systems of standing committees. The most powerful committees, including on appointments, appropriations, ways and means, and finance or public accounts, are dominated by men.

61. Access of women to decision-making in budget allocation processes is critical to ensuring gender-sensitive development. Efforts to influence budgets from a gender perspective are increasing, at both national and local levels. Alliances with other stakeholders, such as civil society organizations and academia, are important in furthering this work.[13]

62. Women's effective participation and leadership in political institutions can be undermined by a lack of information on critical issues.[14] Access to information is influenced by institutional practices within political institutions. Ensuring effective access to information can be supported by strategic networking and alliance

building. Information and communication technologies also provide potential for increasing systematic access to information. Efforts to explicitly address the gender digital divide are critical to increasing women's participation in decision-making.

*Critical junctures*

63. There appear to be a number of critical junctures, such as peace processes, transitions to democracy and the drafting of new constitutions, that provide opportunities for increasing women's participation. In those contexts, the monopoly of political parties over representation diminishes and access is expanded to non-traditional political actors, whose organizations or movements may put forward candidates to represent their interests, seek a presence within transitional authorities or lobby through mobilization. These critical junctures, providing for greater representation of the interests of different social groups, may be conducive to the formation of temporary coalitions among women legislators from different political parties around issues of common interest.

64. As evidenced in post-conflict situations in Central America, women's cross-party coalitions managed to overcome the ideological divisions that accompanied the civil wars. During the peace process in El Salvador, women came together to promote reforms on issues such as gender quotas, responsible paternity and domestic violence. During the transition to democracy in Uruguay in the mid-1980s, the all-party Working Group on Women's Status, which had struggled to be included within the National Consensus-Building Forum, managed to draw up a set of recommendations on domestic violence, overcoming traditional rivalries between the two historically dominant parties.

# V. Impact of women's participation and leadership on promoting gender equality

65. Women play a key role in formulating gender equality policies and promoting gender mainstreaming, in particular through alliances between national machineries, women's groups and networks, and women in public office. Women's presence in political processes at different levels has, however, proven to be important in the formulation of gender-sensitive policies on development, sustainable peace and good governance. Women legislators in alliance with other actors have made important contributions in advocating for removal of discriminatory provisions from legal codes and promoting women's rights at the national level.

66. During the past decade, the lobbying of the women's movement has contributed to the inclusion of gender equality and women's rights in other global policy fields, including social development, humanitarian law, population and environmental protection; the acceleration of the ratification process of the 1979 Convention on the Elimination of All Forms of Discrimination against Women; and the increasing attention focused on issues of violence against women in both the domestic and the public sphere. The women's movement has also made major contributions to building partnerships for peace. In Azerbaijan, Columbia, Liberia, Nepal and Somalia, for example, women worked across ethnic and religious lines to make valuable contributions to peace processes (see S/2004/814 and S/2005/636).

57. There is evidence that women in local government have a tangible impact on local policy decisions directed towards services and amenities that benefit women and in building social acceptance of women's political authority. For example, in India, studies in panchayats attest to the myriad ways in which the presence of women has changed local politics. It is reported that women have made the panchayats more responsive to community demands for infrastructure, housing, schools and health. Women have improved implementation of various Government programmes and their presence has made women citizens more likely to take advantage of State services and demand their rights. When women are heads of panchayats, there is a greater likelihood that policies that are sensitive to women's needs will be implemented.

# VI. Conclusions and recommendations

68. **Despite incremental changes over the past decade, women continue to face persistent challenges relating to their participation in decision-making. The slow increase in the number of women in political decision-making bodies is the result of a number of factors, including institutional and electoral engineering (such as the adoption of electoral quotas and reserved seats), political party commitment, sustained mobilization at the national level, in particular by the women's movement, and advocacy and support from the international community.**

69. **The increased participation of women in decision-making still needs, however, to be translated into leadership and influence in decision-making processes. Serious obstacles remain that hinder women's effective participation, including their underrepresentation in such male-dominated domains as the military, macroeconomic policy and foreign affairs; the absence of gender-sensitive enabling environments in such political institutions as parliaments and legislatures; and the persistence of traditional stereotypical attitudes and behaviour.**

70. **The lack of sex-disaggregated data on women's access to decision-making at all levels in such areas as the economy, the judiciary, the media, academia and international affairs, remains a serious constraint to monitoring progress.**

71. **The Commission may wish to consider recommending the actions set out below for increasing the participation of women in decision-making (see paras. 72 and 73) and enhancing the impact of their increased presence (see para. 74).**

72. **Governments at all levels, international actors, including the United Nations, parliaments, political parties, non-governmental organizations, the media and all other stakeholders, should, as appropriate:**

(a) **Establish concrete goals, targets and benchmarks for increasing women's representation, including through positive actions;**

(b) **Fully implement Security Council resolution 1325 (2000) so as to increase women's participation in decision-making in all aspects of peace and security, including rehabilitation and reconstruction;**

(c) **Ensure ratification and implementation of the relevant instruments relating to full political rights for women, in particular the Universal**

**Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Political Rights of Women;**

**(d) Enact specific measures to guarantee women's access to decision-making positions, including, as appropriate, through legislated quotas within a proportional representation system or reserved seats in majoritarian election systems, with specific and effective sanctions for non-compliance;**

**(e) Ensure that women and men have equal opportunities during election campaigns by providing public funding, access to the media, setting campaign spending limits, and ensuring that campaign finances and expenditures are disclosed;**

**(f) Ensure women's equal access to education and training, information, employment opportunities and productive resources so as to provide them with the necessary tools to participate fully and equally in decision-making processes at all levels;**

**(g) Develop and promote gender-sensitive curricula and training on civic education for men and women, use gender-sensitive language to eliminate stereotypes and encourage the portrayal of women as leaders in all areas of life;**

**(h) Review and revise, as necessary, existing constitutional, political, legislative and regulatory frameworks, including electoral systems, to remove provisions that hinder women's equal participation in decision-making processes at all levels;**

**(i) Facilitate research on the conditions under which women's representation is enhanced in political parties, parliaments and Government at all levels, and disseminate information on lessons learned and good practices;**

**(j) Monitor the media's coverage of women and gender equality issues and identify gender bias with respect to women in decision-making;**

**(k) Monitor and evaluate the participation and representation of women in decision-making processes at all levels, including through the regular collection of information and data disaggregated by sex.**

**73. Election management bodies and political parties should, as appropriate:**

**(a) Review party structures and procedures to remove all obstacles for women's participation, in particular in leadership positions, with the aim of achieving parity at all levels;**

**(b) Adopt clear rules for candidate selection within parties, including, as relevant, the implementation of quotas for achieving equitable representation of women candidates in elected positions;**

**(c) Promote women's candidacies through the adoption of specific training programmes, recruitment drives and financial incentives, in particular in majoritarian electoral systems, where women may face greater challenges in getting nominated;**

**(d) Provide women's branches in political parties, where they exist, with the necessary resources to increase visibility within the party structure, to influence decision-making and to support women's candidacies;**

(e) **Ensure that women are included in decision-making positions within electoral management bodies and that due consideration is given to issues of gender equality and the empowerment of women in the work of such bodies;**

(f) **Provide resources for leadership training of potential women candidates across party lines in the skills required for political campaigning and for interacting effectively with the media.**

74. **Governments at all levels, international actors, including the United Nations, parliaments, political parties, non-governmental organizations, the media and all other stakeholders, should, as appropriate:**

(a) **Ensure that women have equal representation at decision-making levels in policymaking bodies covering all areas, in particular in the areas of macroeconomic policy, trade, labour, budgets, defence and foreign affairs;**

(b) **Support the mainstreaming of gender perspectives in the formulation and implementation of laws, budget allocations, policies and programmes, through, inter alia, the provision of training in governmental, legislative and judicial bodies, and enhancement of the catalytic role of national mechanisms for gender equality and the empowerment of women;**

(c) **Ensure that institutions, including parliaments, develop an enabling environment for women's participation, including through measures aimed at reconciling family and professional responsibilities;**

(d) **Ensure that women in decision-making positions receive sufficient substantive and administrative support, mentoring and access to the resources required for effective leadership roles;**

(e) **Ensure that parliaments establish standing or ad hoc committees or other statutory bodies on gender equality and empowerment of women, with cross-party representation, to monitor the review and implementation of existing laws and constitutional provisions, as well as recommendations from international instruments such as the Convention on the Elimination of All Forms of Discrimination against Women and the Beijing Platform for Action;**

(f) **Ensure that parliaments, including standing committees and women's caucuses, collaborate effectively with various national mechanisms for gender equality and the empowerment of women;**

(g) **Prior to their submission to the Committee on the Elimination of Discrimination against Women, for which they are prepared, disseminate the national periodic reports to parliament and civil society for discussion;**

(h) **Promote decentralization that is conducive to women's equal participation and strengthen capacity of local government bodies to implement effective gender mainstreaming and gender-sensitive budgeting;**

(i) **Facilitate networking among women in decision-making positions and those working for the empowerment of women at the grass-roots level, in the academic community, trade unions, the media and in civil society organizations;**

(j) **Encourage and support alliances with men in decision-making positions to promote gender equality and empowerment of women;**

(k) **Provide leadership training to women to increase their potential to influence political, social and economic decisions, and to seek accountability from all elected representatives on commitments to gender equality and empowerment of women.**

*Notes*

[1] In response to the note verbale, the Division for the Advancement of Women received responses from the following 34 countries: Argentina, Bahrain, Bangladesh, Belarus, Brazil, Brunei Darussalam, Colombia, Costa Rica, Croatia, Democratic People's Republic of Korea, Denmark, Egypt, Estonia, Fiji, Grenada, Honduras, Japan, Jordan, Kazakhstan, Lebanon, Luxembourg, Mauritius, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Slovakia, Sweden, Tonga, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and Uruguay.

[2] See *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

[3] *Official Records of the Economic and Social Council, 2005, Supplement No. 7* (E/2005/27), chap. I.

[4] *Gender Equality: Striving for Justice in an Unequal World* (United Nations publication, Sales No. 05.III.Y.1); A. M. Goetz and R. Jenkins, *Reinventing Accountability: Making Democracy Work for Human Development* (2004).

[5] IPU, "Women in National Parliaments", http://www.ipu.org/wmn-e/world.htm; and International IDEA and Stockholm University, 2005, "Global Database of Electoral Quotas for Women", (http://www.quotaproject.org); Inter-Parliamentary Union, 2005, Women in Politics: 1945-2005, Geneva.

[6] Jean Drage, "Women in Local Government in Asia and the Pacific: a comparative analysis of thirteen countries", Economic and Social Commission for Asia and the Pacific, June 2001.

[7] ILO, *Breaking through the Glass Ceiling: Women in Management*, Geneva, 2004.

[8] United Nations Millennium Project Task Force on Education and Gender Equality, *Taking action: achieving gender equality and empowering women*, United Nations Development Programme, 2005.

[9] V. Bouvier, "Crossing the lines: women's social mobilization in Latin America", 2004, background paper for *Gender Equality: Striving for Justice in an Unequal World*.

[10] *Gender and the Politics of Rights and Democracy in Latin America*, Nikki Craske and Maxine Molyneux, eds., 2002; F. Macaulay, "Getting gender on the policy agenda: a study of a Brazilian feminist lobby group", in *The Hidden Histories of Gender and the State in Latin America*, E. Dore and M. Molyneux, eds. (Durham, North Carolina and London: Duke University Press, 2000).

[11] Institute for Development Studies "Getting Institutions Right for Women in Development", *IDS Bulletin*, vol. 26, No. 3, 1995.

[12] V. Sperling, M. Marx Ferree and B. Risman, "Constructing Global Feminism: Transnational Advocacy Networks and Russian Women's Activism", *Signs: Journal of Women in Culture and Society*, 26(4).

[13] *No shortcuts to Power: African Women in Politics and Policy-Making*, 2003, A. M. Goetz and S. Hassim eds., Zed, London.

[14] Rai, S. M., G. Bari, N. Mahtab and B. Mohanty, et al. (2005) "South Asia: Gender and the Politics of Empowerment: a comparative study", in *Women in Politics: Electoral Quotas, Equality and Democracy*, D. Dahlerup, ed., London, Routledge.